

Chairperson: Supervisor Jim McGuigan  
Committee Clerk: Maribeth Welchman, 278-4226  
Research Analyst: Luisa Ginnetti, 278-5290

## COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, January 10, 2002 -- 9:00 a.m.  
Milwaukee County Courthouse, Room 201-B  
**M I N U T E S**

TAPE No. 8, Side A, No. 480 to 510

PRESENT: Supervisors Krug, Zielinski, DeBruin, and McGuigan (Chairman)

EXCUSED: Supervisors Bailey, Coggs-Jones (later present), and Holloway

### Scheduled Items:

1. 01-702 Report, referred back 12/20/01, relative to authorizing the extension of the present lease agreement with Prochaska Farms for 101 acres of land for agricultural use at the rate of \$93.03 per acre for three additional years (January 1, 2002 through December 31, 2004).

**(REPORT FROM THE HOUSE OF CORRECTION DATED 1/7/02.)**

**MOTION BY (KRUG):** Lay over to the call of the Chair.  
NO OBJECTIONS; SO ORDERED.

2. 02-45 From Medical Examiner, requesting approval of professional service contracts for toxicology laboratory consultation and the Fellowship program to provide two qualified resident physicians as part of a collaborative training program with the Medical College of Wisconsin.

**SEE ACTION UNDER NUMBER THREE (3) BELOW.**

3. A. 99-268(a) Informational report relative to a Memorandum of Understanding between Milwaukee County and the Director of State Courts regarding the Judicial Oversight Initiative Site Evaluator and Research Assistant Positions.

**NO ACTION TAKEN ON THE ABOVE ITEM.**

**Scheduled Items (Continued):**

- B. 99-268      From Chief Judge Michael J. Skwierawski requesting authority to  
(a)(b)      apply for and accept third-year funding from the National Institute of  
Justice, Violence Against Women grants Office (VAWGO) for the  
Judicial Oversight Initiative.

***MOTION BY (DE BRUIN):*** Approve items 2 and 3 (File Nos. 02-45  
and 99-268(a)(b)). **(Vote 5-0\*)**

AYES: Krug, Coggs-Jones, Zielinski, DeBruin, and McGuigan  
(Chairman)

NOES: None

EXCUSED: Bailey and Holloway

\*Supervisor Coggs-Jones requested unanimous consent to be  
recorded as voting aye on the above item (Tape No. 8A-500).

**CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE  
FOLLOWING CLAIMS/LITIGATION** (Note: Section 56.08 of the Milwaukee County  
General Ordinances authorizes the Judiciary Committee to settle all claims when the  
amount does not exceed \$5,000.00, and the action of the Committee is final and no further  
County Board action is required.):

4.      01-670      From **Unitrin Property and Casualty Insurance Group**, submitting a  
claim under their subrogation rights of their insured, **Steven Krueger**, for  
reimbursement of payment made for alleged damages sustained to his  
automobile in an accident occurring on August 17, 2001 involving a  
Milwaukee County-owned vehicle. **(Corporation Counsel recommends  
payment of \$6,060.54 in settlement of this claim.)**

APPEARANCES: Mr. Robert E. Andrews, Deputy Corporation Counsel

***MOTION BY (KRUG):*** Concur with Corporation Counsel  
recommendations on items 4 through 12 (Tape No. 8A-491). **(Vote  
5-0\*)**

AYES: Krug, Coggs-Jones, Zielinski, DeBruin, and McGuigan  
(Chairman)

NOES: None

EXCUSED: Bailey and Holloway

\*Supervisor Coggs-Jones requested unanimous consent to be recorded  
as voting aye on the above item (Tape No. 8A-500).

Scheduled Items (Continued):

5. 02-18(a) From Principal Assistant Corporation Counsel recommending settlement of the claim of **Beverly Gary** in the amount of **\$5,000.00**.

**SEE ACTION UNDER NUMBER FOUR (4) ABOVE.**

6. 01-696 From **Sharon Reinelt**, submitting a claim for injuries and damages allegedly sustained when involved in an accident with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment of \$5,000.00 in settlement of this claim.)**

**SEE ACTION UNDER NUMBER FOUR (4) ABOVE.**

7. 02-43 From Deputy Corporation Counsel recommending payment of **\$4,366.56** in settlement of a December 10, 2001 claim by **Air Comfort Systems**.

**SEE ACTION UNDER NUMBER FOUR (4) ABOVE.**

8. 02-18(a) From Deputy Corporation Counsel recommending payment of **\$1,850.00** in settlement of an October 17, 2001 claim by **Carole Sobek**.

**SEE ACTION UNDER NUMBER FOUR (4) ABOVE.**

9. 01-752 From **Terry & Edward Gesinski-Rose**, submitting a claim for damages allegedly sustained to their automobile as a result of an accident occurring with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment of \$1,400.00 in settlement of this claim.)**

**SEE ACTION UNDER NUMBER FOUR (4) ABOVE.**

10. 01-736 From **John Herrle, Sr.**, submitting a claim for damages allegedly sustained to his automobile while parked in the employee parking lot at General Mitchell International Airport. **(Corporation Counsel recommends payment of \$1,097.95 in settlement of this claim.)**

**SEE ACTION UNDER NUMBER FOUR (4) ABOVE.**

11. 02-18(a) From Deputy Corporation Counsel recommending payment of **\$1,039.64** in settlement of an October 17, 2001 claim by **Charles Johnson**.

**SEE ACTION UNDER NUMBER FOUR (4) ABOVE.**

**Scheduled Items (Continued):**

12. 01-680 From **Joyce Tucek**, submitting a claim for damages allegedly sustained to her car while parked at the Milwaukee County Zoo parking lot. **(Corporation Counsel recommends payment of \$594.00 in settlement of this claim.)**

**SEE ACTION UNDER NUMBER FOUR (4) ABOVE.**

\* \* \* \* \*

**The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:**

13. 00-54 From Corporation Counsel requesting authority to amend the contract  
(a)(e) relative to attorney's fees in the West Allis storm water lawsuit.

Supervisor Coggs-Jones present (Tape No. 8A-494).

**MOTION BY (KRUG):** Adjourn into closed session. **(Vote 5-0)**

AYES: Krug, Coggs-Jones, Zielinski, DeBruin, and McGuigan  
(Chairman)

NOES: None

EXCUSED: Bailey and Holloway

**Roll call upon reconvening into open session:**

PRESENT: Supervisors Krug, Coggs-Jones, Zielinski, DeBruin and  
McGuigan (Chairman)

EXCUSED: Supervisors Bailey and Holloway

**MOTION BY (KRUG):** Extend the contract amount not-to-exceed  
\$10,000 for legal fees. **(Vote 5-0)**

AYES: Krug, Coggs-Jones, Zielinski, DeBruin, and McGuigan  
(Chairman)

NOES: None

EXCUSED: Bailey and Holloway

**Scheduled Items (Continued):**

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**STAFF PRESENT:** Ms. Luisa Ginnetti, Senior Research Analyst, County Board  
Mr. Robert E. Andrews, Deputy Corporation Counsel  
Mr. Robert Ott, Milwaukee County Corporation Counsel

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports, correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 10:30 a.m.

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Ms. Maribeth Welchman  
Committee Clerk

mw:1/17/2002:minutes Ja011002

Chairperson: Supervisor Jim McGuigan  
Committee Clerk: Maribeth Welchman, 278-4226  
Research Analyst: Luisa Ginnetti, 278-5290

## COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, February 7, 2002 -- 9:00 a.m.  
Milwaukee County Courthouse, Room 201-B

### MINUTES

TAPE No. 8, Side B, No. 240 to end of tape

TAPE No. 9, Side A, No. 001 to 435

PRESENT: Supervisors Krug, Bailey, Coggs-Jones, Zielinski, DeBruin, and McGuigan  
(Chairman)

EXCUSED: Supervisor Holloway

#### Scheduled Items:

1. 01-702 Report, referred back 12/20/01, relative to authorizing the extension of the present lease agreement with Prochaska Farms for 101 acres of land for agricultural use at the rate of \$93.03 per acre for three additional years (January 1, 2002 through December 31, 2004).  
**(REPORT FROM THE HOUSE OF CORRECTION (HOC).)**

APPEARANCES: Mr. Ronald K. Malone, Superintendent, HOC

**MOTION BY (KRUG):** Approve. **(Vote 6-0)** (Tape No. 8B-260)

AYES: Krug, Bailey, Coggs-Jones, Zielinski, DeBruin, and McGuigan  
(Chairman)

NOES: None

EXCUSED: Holloway

2. 02-88 From Criminal Justice Program Coordinator, House of Correction, requesting authority to apply, and if awarded, accept, funding from the Wisconsin Technical College System Board for Adult Education and Family Literacy Act grant funds in the amount of \$69,271.00, of which \$17,318 will be a required cash match by Milwaukee County.

APPEARANCES: Mr. Jon Priebe, Fiscal and Budget Administrator,  
House of Correction (Tape No. 8B-270)

**MOTION BY (COGGS-JONES):** Approve. **(Vote 6-0)**

AYES: Krug, Bailey, Coggs-Jones, Zielinski, DeBruin, and McGuigan  
(Chairman)

NOES: None

EXCUSED: Holloway

**Scheduled Items (Continued):**

3. 02-74 From the District Attorney, requesting authorization to accept a grant of \$500 from the State Bar of Wisconsin to purchase computer software to translate letters to crime victims from English to Spanish.

APPEARANCES: Mr. Jim Martin, Assistant District Attorney

Supervisor Bailey commended Mr. Derek Mosley of the District Attorney's Office and the outreach efforts of the District Attorney's office in the community (Tape No. 8B-285).

***MOTION BY (KRUG):*** Approve. **(Vote 6-0)**

AYES: Krug, Bailey, Coggs-Jones, Zielinski, DeBruin, and McGuigan (Chairman)

NOES: None

EXCUSED: Holloway

\* \* \* \* \*

**CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION**

(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.)

4. 02-119 From Deputy Corporation Counsel, requesting approval of payment of **\$28,442.60 to Ms. Michelle R. Hayes** and **\$3,500.00 to Marianne Goldstein Robbins**, her attorney, in settlement of the claims arising from ERD Case No. 200101527, EEOC Case No. 26GA11095, **Michelle R. Hayes v. Milwaukee County.**

APPEARANCES: Mr. Robert E. Andrews, Deputy Corporation Counsel (Tape No. 8B-340 to 8A-364)

***MOTION BY (COGGS-JONES):*** Approve.

***MOTION BY (DE BRUIN):*** Inform the Personnel Committee of this case so that they can decide if there should be additional County steps regarding the discrimination portion of this item. ***(Supervisor Coggs-Jones accepted the amendment as friendly.)***

***Vote on motion to approve, as amended: (Vote 6-0)***

AYES: Krug, Bailey, Coggs-Jones, Zielinski, DeBruin, and McGuigan (Chairman)

NOES: None

Scheduled Items (Continued):

EXCUSED: Holloway

5. A. 00-572 From **American Family Insurance Group**, submitting a claim under their subrogation rights of their insured, **Staci Lyn Koller**, for reimbursement of payment made for alleged damages sustained to her automobile due to an accident that occurred on June 21, 2000 involving a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment of \$3,090.06 in settlement of this claim.)**

**MOTION BY (KRUG):** Approve items 5 through 12. **(VOTE 6-0)**

AYES: Krug, Bailey, Coggs-Jones, Zielinski, DeBruin, and McGuigan (Chairman) (Tape No. 8B-365)

NOES: None

EXCUSED: Holloway

- B. 00-588 From Attorneys McLario, Helm & Bertling, S.C., submitting claims in behalf of **Staci L. Koller** and **Kyle Ziemke** for injuries and damages allegedly sustained as a result of an accident occurring on June 21, 2000, at the intersection of Watertown Plank Road and US Highway 45, involving a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment of \$1,500 each to Staci Lyn Koller and her minor child, Kyle, in settlement of this claim.)**

**SEE ACTION UNDER NUMBER (5A) ABOVE.**

6. 01-292 From American Family Insurance Group, submitting a claim under their subrogation rights of their insured, **Robert N. Gwinnup**, for reimbursement of payment made for damages allegedly sustained when a damaged highway sign blew into his vehicle at US 45 and West Watertown Plank Road. **(Corporation Counsel recommends payment of \$2,122.59 in settlement of this claim.)**

**SEE ACTION UNDER NUMBER (5A) ABOVE.**

7. 02-81 From **Trina C. Avery**, submitting a claim for damages allegedly sustained to her automobile when debris fell from the expressway overpass and landed on her car parked below. **(Corporation Counsel recommends payment of \$1,486.96 in settlement of this claim.)**

**SEE ACTION UNDER NUMBER (5A) ABOVE.**

8. 01-673 From **Robert A. Feutz, Jr.**, submitting a claim for the alleged loss of personal property while incarcerated at the Milwaukee County Criminal Justice Facility. **(Corporation Counsel recommends payment of \$1,426.00 in settlement of this claim.)**

Scheduled Items (Continued):

**SEE ACTION UNDER NUMBER (5A) ABOVE.**

9. 02-44 From **Brian Becker**, submitting a claim for damages allegedly sustained to his automobile as a result of debris falling from the highway (I-94) overhead. **(Corporation Counsel recommends payment of \$1,147.26 in settlement of this claim.)**

**SEE ACTION UNDER NUMBER (5A) ABOVE.**

10. 02-40 From **Matthew Junemann**, submitting a claim for damages allegedly sustained to his automobile in the parking lot of Greenfield Park. **(Corporation Counsel recommends payment of \$1,080.08 in settlement of this claim.)**

**SEE ACTION UNDER NUMBER (5A) ABOVE.**

11. 01-753 From **Paul Crosbie**, submitting a claim for damages allegedly sustained to his automobile when it was struck by a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment of \$785.93 in settlement of this claim.)**

**SEE ACTION UNDER NUMBER (5A) ABOVE.**

12. 02-89 From Deputy Corporation Counsel, requesting payment of **\$717.05** to **Mary Harding** in full settlement of her claim to repair the cost of a rental car allegedly damaged when the parking lot gate arm at General Mitchell International Airport prematurely came down and struck the roof of the car.

**SEE ACTION UNDER NUMBER (5A) ABOVE.**

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The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(f), for the purpose of the Committee considering disciplinary data of specific persons, preliminary consideration of specific personnel problems, or the investigation of charges against specific persons with regard to agenda item 13; and the Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to agenda items 14 and 15. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary on the aforesaid matters.

### Scheduled Items (Continued):

13. 02-J-01 Verbal report from the Sheriff's Department relative to the findings of the DeCarlos Young matter.

APPEARANCES: Deputy Inspector Mike Johnson, Sheriff's Department (Tape No. 8A-135)

Mr. Geoffrey L. Bilda, Milwaukee Deputy Sheriff's Association (Tape No. 8B-342)

(Tape No. 8B-150) Deputy Inspector Johnson stated that the department reviewed the event as it occurred and are taking certain steps to ensure it does not happen again. He advised the Committee of the personnel issues in the jail, including employee retirement and transfers out of the jail during 2000 and 2001, and stated that the department is reviewing the policy of converting from face-to-face visiting to electronic video-conferencing.

Supervisor Krug stated that he would like the department to come back and report on recruitment and training, staffing in the department (for example adding another position at the airport), and contractual issues that may be precluding the department from managing effectively. Inspector Johnson stated that he could have the report ready for the April, 2002 cycle; Supervisor Krug said he would call the department to discuss the parameters of the report.

(Tape No. 9A-128) Supervisor Zielinski said he is intrigued with the possibility of videoconferencing because of its cost-effectiveness and the fact that it may significantly reduce trouble that may be experienced with the visitors or potential breakouts.

Supervisor DeBruin stated that the steps that need to be reviewed [in this matter] relate to a breakdown in communication. In response to Deputy Inspector Johnson informing the Committee that a report is being prepared for the department relative to electronic conversion, Supervisor DeBruin stated that she would be interested in seeing that review and would like information relative to the communication problems to be included.

Supervisor Bailey questioned why the acting sheriff was not in attendance; he is responsible for the facilities and may have answers to the concerns being raised by Committee members. Supervisor Bailey requested that Deputy Inspector Johnson ensure the Committee that there was no employee collusion in this escape. Deputy Inspector Johnson stated that he was not aware of any such evidence.

Chairman McGuigan stated that Deputy Inspector Misko is attending another meeting and he had asked him to send the most

### Scheduled Items (Continued):

knowledgeable person to attend this meeting. He directed the department to get a report back to the Committee members as soon as possible; there were no objections to this direction (Tape No. 9A-208).

**MOTION BY (KRUG):** Move to go into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(f), for the purpose of the Committee considering disciplinary data of specific persons, preliminary consideration of specific personnel problems, or the investigation of charges against specific persons with regard to agenda item 13; and under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to agenda items 14 and 15. **(Vote 6-0)**

AYES: Krug, Bailey, Coggs-Jones, Zielinski, DeBruin, and McGuigan (Chairman)

NOES: None

EXCUSED: Holloway

### **ROLL CALL (AT APPROXIMATELY 11:30 A.M.):**

PRESENT: Supervisors Krug, Bailey, Coggs-Jones, Zielinski, DeBruin and McGuigan (Chairman); EXCUSED: Supervisor Holloway

**Upon reconvening in open session, the Committee did not take any further action on item number thirteen (13).**

14. 00-675 From Law Offices of Thomas M. Jacobson, S.C., submitting a claim in behalf of **Brandon Patterson** for injuries and damages allegedly sustained when involved in a motor vehicle accident with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment of \$53,000.00 in settlement of this claim.)**

**MOTION BY (KRUG):** Approve Corporation Counsel's recommendation relative to the \$53,000 settlement. **(Vote 6-0)**

AYES: Krug, Bailey, Coggs-Jones, Zielinski, DeBruin, and McGuigan (Chairman)

NOES: None

EXCUSED: Holloway

15. 02-120 From Principal Assistant Corporation Counsel, submitting a request to address the issues raised by the Milwaukee County Circuit Court order awarding attorney fees to the Legal Aid Society and the ACLU in the amount of \$434,270.00 and costs and expenses in the amount of \$31,163.00.

Supervisor DeBruin instructed staff to come back to the Committee

**Scheduled Items (Continued):**

with any information regarding the appeal process and what the projected cost would be to move forward (Tape No. 8A-430).

**MOTION BY (BAILEY):** Move to authorize the Office of the Corporation Counsel to commence an appeal of the Milwaukee County Circuit Court's order awarding fees to the Legal Aid Society and American Civil Liberties Union of Wisconsin, and Corporation Counsel will periodically report back to the Committee on Judiciary, Safety and General Services on the status of the appeal. **(Vote 6-0)**

AYES: Krug, Bailey, Coggs-Jones, Zielinski, DeBruin, and McGuigan (Chairman)

NOES: None

EXCUSED: Holloway

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STAFF PRESENT: Ms. Luisa Ginnetti, Senior Research Analyst, County Board  
Mr. Robert E. Andrews, Deputy Corporation Counsel  
Mr. Ronald K. Malone, Superintendent, House of Correction  
Mr. Jim Martin, Assistant District Attorney  
Deputy Inspector Mike Johnson, Sheriff's Department

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Adjourned: 12:00 p.m.



Maribeth Welchman, Committee Clerk

Chairperson: Supervisor Jim McGuigan  
Committee Clerk: Maribeth Welchman, 278-4226  
Research Analyst: Luisa Ginnetti, 278-5290

## COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, March 7, 2002 -- 9:00 a.m.  
Milwaukee County Courthouse, Room 201-B

### MINUTES

TAPE No. 9, Side A, No. 470 to end; Side B, No. 001 to end  
TAPE No. 10, Side A, No. 001 to end; Side B, No. 001 to 100

PRESENT: Supervisors Krug, Bailey, Zielinski, DeBruin, Holloway and McGuigan  
(Chairman)

EXCUSED: Supervisor Coggs-Jones (later present)

#### Scheduled Items:

1. 02-181 Informational report from the Sheriff's Department relative to security at the criminal justice facility. (Reports entitled "Milwaukee County Jail Security Review" by Venture Architects and by Arnold and O'Sheridan.) (Formerly File No. 02-J-04; tape No. 9A-500 to 9B-260.)

APPEARANCES: Inspector Misko, Sheriff's Department  
Deputy Inspector M. Johnson, Sheriff's Department

Supervisor Coggs-Jones present tape no. 9A-534.

**MOTION BY (DE BRUIN):** Receive and place on file (Tape No. 9B-100).

Supervisor Bailey asked the department to consider the possibility of video monitoring in the courtrooms, with centralized stations for the deputy sheriffs.

***Vote on motion to receive and place on file: (Vote 7-0)***

AYES: Krug, Bailey, Coggs-Jones, Zielinski, DeBruin, Holloway, and McGuigan (Chairman)

NOES: None

EXCUSED: None

## Scheduled Items (Continued):

2. 02-J-05 Informational report from the Department of Public Works, Facilities Management, relative to Courthouse security. **(Copy attached to original copy of these minutes.)** (Tape No. 9B-270 to 10A-420)

APPEARANCES: Mr. John Dehli, Director, Facilities Management  
Mr. Cortez Vanfelder, Facilities Management

**MOTION BY (KRUG):** Direct the Department of Human Resources to do a market analysis/competitive market survey of the security positions and see if we have [an adequate] pay range in place, and report back to the Committees on Personnel and Judiciary.

**MOTION BY (DE BRUIN):** Report back in one month relative to management and staffing levels.

**MOTION BY (HOLLOWAY):** Determine if there is some kind of test that can be administered to make sure we are getting the right kind of person for the job. ***Supervisor Krug accepted the amendment as friendly and further directed a review of the position description and testing requirements currently in place.***

Supervisor Bailey directed that when this issue is addressed in next year's budget, the department should highlight the options to the board to provide security that is focused where it is needed, such as the family and domestic violence courts, and consolidating these into one area rather than providing perimeter security. He questioned if the County has an ordinance in place that makes it a violation to enter this building with weapons. Mr. Andrews stated that there is an ordinance for civil service rules that governs employees. Supervisor Bailey asked that [Mr. Andrews] check the ordinances and the penalties of bringing weapons to the courthouse.

Chairman McGuigan stated that the motion is to have the Department of Human Resources provide a competitive market survey and report back to both the Personnel and Judiciary Committees, combined with a testing requirement for staff and potential future staff.

**MOTION BY (BAILEY):** Amend to provide an inventory of facility options to see if we can isolate the family and domestic violence courts. ***Supervisor Krug accepted this amendment as friendly, but requested separate action. He reiterated his motion as: DHR to provide a competitive market survey; review of position descriptions and testing requirements.***

### Scheduled Items (Continued):

Supervisor Holloway stated that the testing [he envisions] would be an assessment of interest in the position, but does not want the testing to play a negative role beyond that.

***VOTE ON MOTION TO REFER TO DHR FOR A REPORT BACK (7-0):***

AYES: Krug, Bailey, Coggs-Jones, Zielinski, DeBruin, Holloway, and McGuigan (Chairman)

NOES: None

EXCUSED: None

***MOTION BY (BAILEY):*** Request a report back [from Facilities Management] on what type of statistical evidence there is available regarding the level of incidences of violence in courthouses across America, and in the presumption that it is going to say 90% or more occur in the family court system (including domestic violence cases), ask for an inventory of facilities with recommendations as to how we might best consolidate our security resources – isolating family and domestic violence in one area – and provide recommendations as to what area and how this can be accomplished.

***MOTION BY (ZIELINSKI):*** Amend to direct staff to look at other urban counties across the country and inventory what percentage of them provide perimeter security for their courthouses. ***Amendment accepted by Supervisor Bailey, with direction that staff could take 60 days to complete the report.*** (Tape No. 10A-395) ***(Vote 7-0)***

AYES: Krug, Bailey, Coggs-Jones, Zielinski, DeBruin, Holloway, and McGuigan (Chairman)

NOES: None

EXCUSED: None

3. 02-166 From Director, Child Support Enforcement, requesting authorization to execute W-2 Contracts with Maximus, Opportunities Industrialization Center of Greater Milwaukee, Inc. (OIC), United Migrant Opportunity Services, Inc. (UMOS) and YW Works. (Formerly File No. 02-J-02.)

APPEARANCES: Mr. John Hayes, Director, Child Support Enforcement

***MOTION BY (BAILEY):*** Approve the request of the Director of Child Support (Tape No. 9A-470). ***(Vote 6-0)***

AYES: Krug, Bailey, Zielinski, DeBruin, Holloway, and McGuigan (Chairman)

NOES: None

EXCUSED: Coggs-Jones

### Scheduled Items (Continued):

4. 02-130 Resolution for Supervisors Diliberti, Ordinans, Borkowski and others, directing County Board staff to compare the duties and composition of Milwaukee County's Pension Board, Pension Study Commission, Ethics Board and Election Commission to those of similar sized counties and to review information from the Government Finance Officers Association and other professional organizations with regard to similar boards and/or commissions. **(Also to Committee on Personnel)** (Tape No. 10A-420 to 10A-480)

**MOTION BY (KRUG):** Approve, amended to add all the members of the Judiciary Committee as co-sponsors of the resolution. **(Vote 7-0\*)**  
AYES: Krug, Bailey, Coggs-Jones, Zielinski, DeBruin, Holloway, and McGuigan (Chairman)  
NOES: None  
EXCUSED: None

\*Supervisor Holloway requested unanimous consent to be recorded as voting aye; upon hearing no objections, the Chairman so ordered.

**CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION** (Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.)

5. 02-180 From Deputy Corporation Counsel recommending payment of **\$7,000.00 to Lena M. Nielson** to settle all claims arising out of an incident on an escalator at General Mitchell International Airport. (Formerly File No. 02-J-03; Tape No. 10A-420.)

APPEARANCES: Mr. Robert E. Andrews, Deputy Corporation Counsel

**MOTION BY (KRUG):** Approve items 5 – 9 [the recommendations of Corporation Counsel] amended to reflect that the recommended payment for number nine (File No. 02-126) would be an amount not to exceed \$800.00.

**Vote on motion to approve the recommendations of Corporation Counsel relative to items five (5) through nine (9), as amended.** (Tape No. 10-450) **(Vote 7-0)**  
AYES: Krug, Bailey, Coggs-Jones, Zielinski, DeBruin, Holloway, and McGuigan (Chairman)  
NOES: None  
EXCUSED: None

**Scheduled Items (Continued):**

6. 02-133 From **United States Postal Service**, submitting a claim for damages allegedly sustained to a light post at the Franklin Post Office when it was hit by a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment of \$2,685.00 in settlement of this claim.)**

**SEE ACTION UNDER NUMBER (5) ABOVE.**

7. 02-18(a) From Deputy Corporation Counsel recommending payment **of \$2,000 to Chardra Ellis** to settle all claims arising out of an incident at Lincoln Park Pool.

**SEE ACTION UNDER NUMBER (5) ABOVE.**

8. 02-115 From **Wisconsin Department of Transportation**, submitting a claim for property damages allegedly sustained when a Milwaukee County-owned vehicle struck a light pole and fence while responding to an emergency call. **(Corporation Counsel recommends payment of \$1,342.38 in settlement of this claim.)**

**SEE ACTION UNDER NUMBER (5) ABOVE.**

9. 02-126 From **United States Department of the Treasury**, submitting a claim for damages allegedly sustained to one of their vehicles that was involved in an accident with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment of an amount not to exceed \$800.00 in settlement of this claim.)**

**SEE ACTION UNDER NUMBER (5) ABOVE.**

10. 02-J-06 From Superintendent, House of Correction, submitting a memorandum dated 2/27/02 relative to a potential House of Correction Revenue Shortfall. **(Copy attached to original copy of these minutes.)**

APPEARANCES: Mr. John Priebe, House of Correction (Tape No. 10A-484 to 10B-065.)

**NO ACTION TAKEN ON THE ABOVE ITEM.**

**The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:**

Scheduled Items (Continued):

11. 02-120(a) Verbal report from Corporation Counsel relative to an adopted resolution authorizing an appeal of the Milwaukee County Circuit Court's order awarding fees to the Legal Aid Society and American Civil Liberties Union of Wisconsin in the matter of the Christensen lawsuit. (Tape No. 10B-065)

APPEARANCES: Mr. Robert E. Andrews, Deputy Corporation Counsel

Chairman McGuigan directed that Corporation Counsel provide a status report to the Committee at the next regularly-scheduled meeting.

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STAFF PRESENT: Ms. Luisa Ginnetti, Senior Research Analyst, County Board  
Inspector Misko, Sheriff's Department  
Deputy Inspector M. Johnson, Sheriff's Department  
Mr. John Dehli, Director, Facilities Management  
Mr. Cortez Vanfelder, Facilities Management  
Mr. Robert E. Andrews, Deputy Corporation Counsel  
Mr. John Priebe, House of Correction

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 11:30 a. m.

*Maribeth Welchman*

Maribeth Welchman, Committee Clerk

mw:3/11/2002:jm030702

Chairperson: Supervisor Jim McGuigan  
Committee Clerk: Maribeth Welchman, 278-4226  
Research Analyst: Luisa Ginnetti, 278-5290

## COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, April 11, 2002 – 9:00 a.m.

Milwaukee County Courthouse, Room 201-B

### MINUTES

TAPE No. 10, Side B, No. 101 to end of tape

TAPE No. 11, Side A, No. 001 to end of tape

TAPE NO. 11, Side B, No. 002 to 630

PRESENT: Supervisors Krug, Bailey, Coggs-Jones, Zielinski, Holloway and McGuigan (Chairman)

EXCUSED: Supervisor DeBruin

#### Scheduled Items:

1. 02-165 From County Executive, appointing Mr. Daniel P. Hanley, Jr. to serve on the Milwaukee County Ethics Board for a term expiring February 28, 2008. Mr. Hanley will be replacing Maricolette Walsh who has resigned.

APPEARANCES: Mr. Daniel P. Hanley, Jr.

Ms. Hannah C. Dugan

Ms. Mary Glass

Ms. Susan Shields, Executive Secretary, Personnel Review Board/Ethics Board

**MOTION BY (HOLLOWAY):** Lay over. **(VOTE 1-5)**

AYES: Holloway

NOES: Krug, Bailey, Coggs-Jones, Zielinski and McGuigan (Chairman)

EXCUSED: De Bruin

**MOTION BY (BAILEY):** Approve items 1 and 12. **(VOTE 6-0)**

AYES: Krug, Bailey, Coggs-Jones, Zielinski, Holloway and McGuigan (Chairman)

NOES: None

EXCUSED: De Bruin

2. 02-194 Resolution by Supervisors Mayo, Zielinski, Coggs-Jones and Holloway, directing the Corporation Counsel to direct the Wisconsin County Mutual Insurance Corporation to include minority participation of at least 25% in its defense of Milwaukee County in connection with a lawsuit filed by the Deputy Sheriff's Association against Milwaukee County and the Pension Board.

Scheduled Items (Continued):

APPEARANCES: Supervisor Michael Mayo, 7<sup>th</sup> District  
Mr. Robert E. Andrews, Deputy Corporation Counsel

Supervisor Mayo requested that Supervisors Coggs-Jones and Holloway be added as co-sponsors of the resolution.

**MOTION BY (BAILEY):** Amend to add the participation as a goal; approve as amended. **(VOTE 6-0)**

AYES: Krug, Bailey, Coggs-Jones, Zielinski, Holloway and McGuigan  
(Chairman)

NOES: None

EXCUSED: De Bruin

3. 02-J-05 A. Informational report from the Deputy Director, Department of Human Resources relative to Facilities Worker (Security). **(Copy attached to original copy of these minutes.)**

APPEARANCES: Mrs. Jertha Ramos-Colon, Deputy Director, DHR

Chairman McGuigan directed the Department of Human Resources to remove employee social security numbers from written reports.

**NO ACTION TAKEN BY THE COMMITTEE ON THE ABOVE ITEM.**

- B. Informational report from the Director, Department of Public Works, relative to facilities management. **(Copy attached to original copy of these minutes.)**

APPEARANCES: Mr. David Novak, Director, Department of Public Works

**NO ACTION TAKEN BY THE COMMITTEE ON THE ABOVE ITEM.**

4. 02-237 From Deputy Inspector, Sheriff's Department, requesting authority to enter into contract negotiations for consolidated inmate health care. (Formerly file no. 02-J-07.)

APPEARANCES: Deputy Inspector M. Johnson, Sheriff's Department  
Inspector Misko, Sheriff's Department

**MOTION BY (HOLLOWAY):** Approve with a report back detailing a proposed health care plan and mandated services in terms of cost and other services we provide (Tape No. 11A-270).

**Scheduled Items (Continued):**

**MOTION BY (COGGS-JONES):** Direct the Sheriff and Health Care Administrator to report back in the May cycle.

Supervisor Krug in the chair (Tape No. 11A-769).

**MOTION BY (McGUIGAN):** Lay over with a report back from the Director of Health Related Services on whether the approach outlined by the Sheriff's Department staff is the standard for the industry.

Supervisor Coggs-Jones in the chair (Tape No. 11B-026).

Supervisor Zielinski in the chair (Tape No. 11B-115).

**MOTION BY: (McGUIGAN):** Include in the report back: Analysis of how this would impact our current employees, specifically, nursing staff and other county medical personnel. **(VOTE 4-1)**

AYES: Bailey, Coggs-Jones, Holloway and McGuigan (Chairman)

NOES: Krug

EXCUSED: Zielinski and De Bruin

5. 02-196 From the Sheriff, requesting approval to apply for, and if awarded, to accept and expend grant funding for 2002 in order to participate in a collaborative traffic safety effort with the Sheriffs of Racine and Kenosha counties. (Tape No. 11B-222)

**MOTION BY (KRUG):** Approve items 5 (File No. 02-196) and 6 (File No. 02-197). **(VOTE 5-0)**

AYES: Krug, Coggs-Jones, Zielinski, Holloway and McGuigan (Chairman)

NOES: None

EXCUSED: Bailey and De Bruin

6. 02-197 From the Sheriff, requesting approval to apply for, and if awarded, to accept and expend grant funding for 2002 in order to increase the level of commercial vehicle safety enforcement on Milwaukee County roadways.

**SEE ACTION UNDER NUMBER (5) ABOVE.**

**CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION** (Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.):

Scheduled Items (Continued):

7. 02-163 From Pieper Electric, Inc. submitting a claim for damages allegedly sustained to their service truck due to the hood not being properly closed and latched after being inspected at the airport check point. **(Corporation Counsel recommends payment of \$783.77 in settlement of this claim.)**

APPEARANCES: Mr. Robert E. Andrews, Deputy Corporation Counsel

**MOTION BY (KRUG):** Approve Corporation Counsel recommendations related to items 7, 8 and 9, with item 9 to be in the amount of \$804.47. **(VOTE 4-0)**

AYES: Krug, Coggs-Jones, Zielinski and McGuigan (Chairman)

NOES: None

EXCUSED: Bailey, De Bruin and Holloway

8. 02-18(a) From Wisconsin Electric/Wisconsin Gas, submitting a claim for damages allegedly sustained to a light pole owned by the claimant. **(Corporation Counsel recommends payment of \$819.78 in settlement of this claim.)**

**SEE ACTION UNDER NUMBER (7) ABOVE.**

9. 02-90 From Wendy G. Carter, submitting a claim for damages allegedly sustained to her automobile while parked in the employee parking lot at Estabrook Park service yard. **(Corporation Counsel recommends payment of \$804.47 in settlement of this claim.)**

**SEE ACTION UNDER NUMBER (7) ABOVE.**

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary on the aforesaid matter.

10. 02-120 From Corporation Counsel relative to the Milwaukee County Circuit Court's order awarding fees to the Legal Aid Society and American Civil Liberties Union (ACLU) of Wisconsin. **(Also to the Committee on Finance and Audit)**

**MOTION BY (KRUG):** Move to go into closed session. **(VOTE 4-0)**

AYES: Krug, Coggs-Jones, Zielinski and McGuigan (Chairman)

NOES: None

**Scheduled Items (Continued):**

EXCUSED: Bailey, De Bruin and Holloway

(Tape No. 11B-630)

**ROLL CALL UPON RECONVENING INTO OPEN SESSION:**

PRESENT: Supervisors Krug, Bailey, Coggs-Jones, Zielinski, Holloway and McGuigan (Chairman)

EXCUSED: Supervisor De Bruin

***MOTION BY (BAILEY):*** Move, as a policy committee, to authorize Corporation Counsel to pursue the appeal of this matter; authorize Corporation Counsel to pursue a settlement through negotiations and secure authorization for funding of the negotiations from the Finance Committee; and authorize Corporation Counsel to seek and secure funding to take action appropriate to suspend our ongoing liability for interest on the judgment. (Tape No. 11B-630) ***(VOTE 6-0)***

AYES: Krug, Bailey, Coggs-Jones, Zielinski, Holloway and McGuigan (Chairman)

NOES: None

EXCUSED: De Bruin

11. 02-219 Resolution by Supervisor Zielinski, requesting the Sheriff, in conjunction with the Department of Human Resources and the Department of Labor Relations, to review the possibility of instituting a promotional exam for the position of captain which would require an objective testing procedure in order for individuals in the Sheriff's Department to be elevated to the rank of captain. **(Also to the Committee on Personnel)**

APPEARANCES: Mr. Jerry Rieder (support) (Tape No. 11B-237)

Mr. Aaron Hurvitz, Attorney, Deputy Sheriff's Association (support)

Mrs. Jertha Ramos-Colon, Deputy Director, DHR

Mr. Daniel Pierzchala, Employment and Staffing Manager, DHR

***MOTION BY (ZIELINSKI):*** Approve (Tape No. 11B-546). ***(VOTE 5-0)***

AYES: Krug, Coggs-Jones, Zielinski, Holloway and McGuigan (Chairman)

NOES: None

EXCUSED: Bailey and De Bruin

12. 02-245 From County Executive, appointing Hannah C. Dugan and Mary Glass to serve on the Milwaukee County Ethics Board. Ms. Dugan will be replacing Seaver P. Bigler, who resigned, and her term will expire on February 28, 2007; Ms. Glass will be replacing Reverend Clarence Robinson, who resigned, and her term will expire on February 28, 2004.

**SEE ACTION UNDER NUMBER (1) ABOVE.**

**Scheduled Items (Continued):**

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STAFF PRESENT: Ms. Luisa Ginnetti, Senior Research Analyst, County Board  
Ms. Susan Shields, Executive Secretary, Personnel Review Board/Ethics Board  
Mrs. Jertha Ramos-Colon, Deputy Director, DHR  
Mr. David Novak, Director, Department of Public Works  
Deputy Inspector M. Johnson, Sheriff's Department  
Inspector Misko, Sheriff's Department  
Mr. Robert E. Andrews, Deputy Corporation Counsel  
Mr. Daniel Pierzchala, Employment and Staffing Manager, DHR

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 12:00 p m.

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Maribeth Welchman  
Committee Clerk

mw:4/26/2002:Jm041102 minutes

Chairperson: Supervisor Jim McGuigan  
Committee Clerk: Maribeth Welchman, 278-4226  
Research Analyst: Luisa Ginnetti, 278-5290

## COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, May 9, 2002 -- 9:00 a.m.  
Milwaukee County Courthouse, Room 201-B

### MINUTES

TAPE No. 12, Side A, No. 001 to 700

PRESENT: Supervisors Krug, Bailey, Zielinski, DeBruin, and McGuigan (Chairman)  
EXCUSED: Supervisors Coggs-Jones and Holloway (both later present)

#### Scheduled Items:

1. 02-268 From Superintendent, House of Correction, requesting authorization to enter into a professional services contract with Veterinary Medical Associates Inc. to provide veterinary care of security dogs at the House of Correction.

APPEARANCES: Mr. Ronald K. Malone, Superintendent, House of Correction

Supervisor Holloway present (Tape No. 12A-020); Supervisor Coggs-Jones present (Tape No. 12A-075).

**MOTION BY (DE BRUIN):** Approve. **(VOTE 7-0)** (Tape No. 12A-025)

AYES: Krug, Bailey, Coggs-Jones, Zielinski, De Bruin, Holloway and McGuigan (Chairman)

NOES: None

EXCUSED: None

2. 02-237 From Administrator, Health and Mental Health Programs, Sheriff's  
(a)(a) Department, withdrawing a request to enter into contract negotiations for consolidated inmate health care services at the Criminal Justice Facility (CJF) and the House of Corrections (HOC) (Tape No. 12A-121).

APPEARANCES: Michael Kalonick, Administrator, Health and Mental Health Programs

**NO ACTION TAKEN BY THE COMMITTEE ON THE ABOVE ITEM.**

**Scheduled Items (Continued):**

3. 02-262 From Director, County Clerk of Circuit Courts, submitting the 2001 Annual Report State of Wisconsin Milwaukee County Circuit Court First Judicial District. (Formerly File No. 02-J-09.) (Tape No. 12A-228)

APPEARANCES: Mr. John Barrett, Clerk of Circuit Court/Director of Court Services  
Chief Judge Michael J. Skwierawski

**MOTION BY (KRUG):** Receive and place on file. **(VOTE 7-0)**

AYES: Krug, Bailey, Coggs-Jones, Zielinski, De Bruin, Holloway and McGuigan (Chairman)

NOES: None

EXCUSED: None

\* \* \* \* \*

**The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matters. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:**

4. 02-J-08 Report from Corporation Counsel relative to the status of the following cases involving Milwaukee County: Milwaukee County v. City of West Allis; Schilling v. Milwaukee County, et al.; Chirstensen v. Klismet, et al.; Bottoni, et al. v. Milwaukee County, et al.; Bilda, et al. v. Milwaukee County, et al.; Champin, et al.; v. Milwaukee County; Metropolitan Milwaukee Association of Commerce v. Milwaukee County; and Milwaukee County v. Juneau County and Sauk County. **(Verbal, informational report.)**

APPEARANCES: Mr. Robert E. Andrews, Deputy Corporation Counsel  
(Tape No. 12A-669)

**MOTION BY (KRUG):** Go into closed session on items 4, 6 and 7. **(VOTE 7-0)**

AYES: Krug, Bailey, Coggs-Jones, Zielinski, De Bruin, Holloway and McGuigan (Chairman)

NOES: None

EXCUSED: None

**Scheduled Items (Continued):**

**ROLL CALL UPON RECONVENING INTO OPEN SESSION:**

PRESENT: Krug, Bailey, Coggs-Jones, Zielinski, De Bruin, Holloway and McGuigan (Chairman)

EXCUSED: None

**CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION**

(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.)

5. 02-18(a) From Deputy Corporation Counsel recommending payment of **\$5,000 to Ms. Pamala Evans and her attorney, Cross Law Firm, S.C.** in full settlement of any and all claims of Ms. Evans against the County of Milwaukee (Tape No. 12A-690).

APPEARANCES: Mr. Robert E. Andrews, Deputy Corporation Counsel

***MOTION BY (KRUG):*** Approve items five (5) through fifteen (15).  
***(VOTE 7-0)***

AYES: Krug, Bailey, Coggs-Jones, Zielinski, De Bruin, Holloway and McGuigan (Chairman)

NOES: None

EXCUSED: None

6. 02-18(a) From Principal Assistant Corporation Counsel recommending payment of \$5,000 to settle a civil rights action filed under 42 USC s.1983 in Federal Court on March 2, 1998 (**Robert Earl Booth v. Stigler, et. al.**).

***SEE ACTION UNDER NUMBER FIVE (5) ABOVE.***

7. 01-53 From Koch & McCann, S.C., submitting a claim in behalf of Starlita McFarland, for injuries and damages allegedly sustained when she was assaulted and battered in an elevator in the Milwaukee County Jail by a Deputy Sheriff. (**Corporation Counsel recommends payment of \$5,000.00 in settlement of this claim.**)

***SEE ACTION UNDER NUMBER FIVE (5) ABOVE.***

8. 00-501 From Attorneys Margolis & Cassidy, submitting a claim in behalf of Dwayne Hubanks for injuries and damages allegedly sustained as a result of an accident occurring on August 25, 1997 involving a Milwaukee County-owned vehicle. (**Corporation Counsel recommends payment of \$4,500.00 in settlement of this claim.**)

Scheduled Items (Continued):

***SEE ACTION UNDER NUMBER FIVE (5) ABOVE.***

9. 01-437 From Kelli Barnhill, submitting a claim for the alleged loss of personal property while incarcerated at the Milwaukee County House of Correction. **(Corporation Counsel recommends payment of \$2,510.00 in settlement of this claim.)**

***SEE ACTION UNDER NUMBER FIVE (5) ABOVE.***

10. 02-87 From American Family Insurance Group, submitting a claim under their subrogation rights of their insured, Gary B. and Judith Orange, for reimbursement of payment made for injuries and damages allegedly sustained to their automobile when involved in an accident with a Milwaukee County-owned vehicle on December 14, 2001. **(Corporation Counsel recommends payment of \$2,095.65 in settlement of this claim.)**

***SEE ACTION UNDER NUMBER FIVE (5) ABOVE.***

11. 02-18(a) From Deputy Corporation Counsel, recommending payment of **\$1,070.34 to Patricia Schulz and Humana, Inc.** to settle a claim arising out of an incident at General Mitchell International Airport on September 30, 2001.

***SEE ACTION UNDER NUMBER FIVE (5) ABOVE.***

12. 01-531 From Ruth M. Wehrenberg, submitting a claim for injuries and damages allegedly sustained when she tripped over a raised piece of concrete sidewalk while visiting the Milwaukee County Mitchell Domes. **(Corporation Counsel recommends payment of \$1,000.00 in settlement of this claim.)**

***SEE ACTION UNDER NUMBER FIVE (5) ABOVE.***

13. 02-18(a) From Deputy Corporation Counsel, recommending payment of **\$738.69 to Bruce Seiden** in full settlement of his claim arising out of a March 7, 2002 incident in the employee lot at Estabrook Park.
14. 02-40 From Matthew Junemann, submitting a claim for damages allegedly sustained to his automobile in the parking lot of Greenfield Park. **(Corporation Counsel recommends payment of \$720.14 in settlement of this claim.)**

Scheduled Items (Continued):

***SEE ACTION UNDER NUMBER FIVE (5) ABOVE.***

15. 02-178 From Emily Maldonado, submitting a claim for damages allegedly sustained to her automobile while parked in the O'Donnell parking structure. **(Corporation Counsel recommends payment of \$554.93 in settlement of this claim.)**

***SEE ACTION UNDER NUMBER FIVE (5) ABOVE.***

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STAFF PRESENT: Ms. Luisa Ginnetti, Senior Research Analyst, County Board  
Mr. Ronald K. Malone, Superintendent, House of Correction  
Mr. Michael Kalonick, Administrator, Health and Mental Health Programs  
Mr. John Barrett, Clerk of Circuit Court/Director of Court Services  
Chief Judge Michael J. Skwierawski  
Mr. Robert E. Andrews, Deputy Corporation Counsel

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 11:15 p.m.

*Maribeth Welchman*  
Committee Clerk

mw:5/13/2002:Jm050902

Chairperson: Supervisor Jim McGuigan  
Committee Clerk: Maribeth Welchman, 278-4226  
Research Analyst: Luisa Ginnetti, 278-5290

## COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, June 6, 2002 – 9:00 a.m.  
Milwaukee County Courthouse, Room 201-B

### MINUTES

TAPE No. 12, Side B, No. 001 to 420

PRESENT: Supervisors Zielinski, DeBruin, Holloway and McGuigan (Chairman)

EXCUSED: Supervisors Krug (later present), Bailey (later present) and Coggs-Jones

#### Scheduled Items:

1. 02-309 From Criminal Justice Program Manager, House of Correction, requesting approval to amend a professional service contract with Wisconsin Correctional Service in order to expand the scope of services and increase expenditures by not more than \$42,000.

APPEARANCES: Ms. Jan Brylow, Criminal Justice Program Manager, HOC

Supervisor Krug present (Tape No. 12B-038).

**MOTION BY (ZIELINSKI):** Approve. **(VOTE 5-0)**

AYES: Krug, Zielinski, De Bruin, Holloway and McGuigan (Chairman)

NOES: None

EXCUSED: Bailey and Coggs-Jones

2. 02-310 From Criminal Justice Program Manager, House of Correction, requesting approval to amend a professional service contract with the Benedict Center for library services from \$27,000 to \$35,000.

APPEARANCES: Ms. Jan Brylow, Criminal Justice Program Manager, HOC  
(Tape No. 12B-075)

**MOTION BY (KRUG):** Approve. **(VOTE 5-0)**

AYES: Krug, Zielinski, De Bruin, Holloway and McGuigan (Chairman)

NOES: None

EXCUSED: Bailey and Coggs-Jones

3. 02-J-05 From Milwaukee County Sheriff, submitting a report entitled, "Milwaukee County Jail Security Improvement Priorities." **(For information only.)**

Scheduled Items (Continued):

Supervisor Bailey present (Tape No. 12B-112).

APPEARANCES: Sheriff David A. Clarke, Jr.

**MOTION BY (BAILEY):** Lay over to the call of the Chair (during budget deliberations, October, 2002). **(VOTE 6-0)**

AYES: Krug, Bailey, Zielinski, De Bruin, Holloway and McGuigan (Chairman)

NOES: None

EXCUSED: Coggs-Jones

**CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION**

(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.):

4. 02-162 From Bill Scarborough, submitting a claim for damages allegedly sustained  
& to his automobile which was struck by a Milwaukee County-owned vehicle;  
02-302 and from Badger Mutual Insurance Company, submitting a claim under their subrogation rights of their insured, Billy R. Scarborough, for reimbursement of payment made for alleged damages sustained to his automobile when involved in an accident with a Milwaukee County-owned vehicle.  
**(Corporation Counsel recommends payment of \$15,101.91 in settlement of these claims.)**

APPEARANCES: Mr. Robert E. Andrews, Deputy Corporation Counsel stated the amount for number five should be \$1,046.07 **not** \$10,046.07.

**MOTION BY (KRUG):** Approve items four through eight (Tape No. 12B-344).

**MOTION BY: (DE BRUIN):** Separate action on item 7.

**Vote on motion to approve items 4, 5, 6 and 8: (VOTE 5-0)**

AYES: Krug, Zielinski, De Bruin, Holloway and McGuigan (Chairman)

NOES: None

EXCUSED: Bailey and Coggs-Jones

5. 02-18(a) From Deputy Corporation Counsel, recommending payment of **\$1,046.07** in full settlement of all claims arising out of an accident on January 29, 2001 involving **Fay Roberts** and a county-owned vehicle.

Scheduled Items (Continued):

**SEE ACTION UNDER NUMBER (4) ABOVE.**

6. 00-500 From Attorneys Margolis & Cassidy, submitting a claim in behalf of Aubrey Hubanks for injuries and damages allegedly sustained as a result of an accident occurring on August 25, 1997 involving a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment of \$8,816.95 in settlement of this claim.)**

**SEE ACTION UNDER NUMBER (4) ABOVE.**

7. 02-18(a) From Deputy Corporation Counsel, recommending payment of **\$1,800.00** in full settlement of all claims arising out of an accident on June 22, 2001 involving **Arthur Woods** while a passenger in a county-owned vehicle.

APPEARANCES: Mr. Robert E. Andrews, Deputy Corporation Counsel

(Tape No. 12B-344) ***Vote on motion by Supervisor Krug to approve: (VOTE 5-0)***

AYES: Krug, Zielinski, De Bruin, Holloway and McGuigan (Chairman)

NOES: None

EXCUSED: Bailey and Coggs-Jones

8. 02-254 From Donald Novak, submitting a claim for damages allegedly sustained to his automobile when involved in an accident with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment of \$871.20 in settlement of this claim.)**

**SEE ACTION UNDER NUMBER (4) ABOVE.**

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary on the following matter:

9. 00-54 From Corporation Counsel requesting authority to extend by \$10,000, the not-to-exceed amount of its contract with the law firm of Reinhart, Boerner, Van Deuren, Norris & Rieselbach, S.C. to \$260,000 for legal work in connection with the West Allis storm water lawsuit.

APPEARANCES: Mr. Robert E. Andrews, Deputy Corporation Counsel

**Scheduled Items (Continued):**

**MOTION BY (DE BRUIN):** Approve. **(VOTE 5-0)** (Tape No. 12B-419)

AYES: Krug, Zielinski, De Bruin, Holloway and McGuigan (Chairman)

NOES: None

EXCUSED: Bailey and Coggs-Jones

10. 02-220 Resolution, referred back 5/23/02 to the Committees on Intergovernmental Relations; Finance and Audit; Judiciary, Safety and General Services; and the Select Committee on County Government, urging the Governor and Wisconsin Legislature to amend the Wisconsin Statutes and/or the Wisconsin Constitution pertaining to the elected office of County Clerk, Treasurer, Sheriff, Clerk of Circuit Court and Register of Deeds in counties with a population of 500,000 or more. (Tape No. 12B-240 to 325).

APPEARANCES: Sheriff David A. Clarke, Jr.

Sheriff Clarke, Jr. read a statement relative to a court case regarding constitutional offices and the importance of the sheriff being an elected, not appointed, officer. Chairman McGuigan requested a copy of the statement of the Sheriff be provided to all members of the County Board and that the Sheriff send an e-mail to the Chair for his constituents.

**MOTION BY (KRUG):** Lay over to the call of the Chair in order to receive a report from the Select Committee on County Government. **(VOTE 5-0)**

AYES: Krug, Zielinski, De Bruin, Holloway and McGuigan (Chairman)

NOES: None

EXCUSED: Bailey and Coggs-Jones

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STAFF PRESENT: Ms. Luisa Ginnetti, Senior Research Analyst, County Board  
Ms. Jan Brylow, Criminal Justice Program Manager, HOC  
Sheriff David A. Clarke, Jr.  
Mr. Robert E. Andrews, Deputy Corporation Counsel

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 9:30 a.m.

*Maribeth Welchman*

Committee Clerk

mw:6/5/2002

**Scheduled Items (Continued):**

Jm060602

Chairperson: Supervisor Jim McGuigan  
Committee Clerk: Maribeth Welchman, 278-4226  
Research Analyst: Luisa Ginnetti, 278-5290

## **COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES**

**Thursday, July 11, 2002 -- 9:00 a.m.**

**Milwaukee County Courthouse, Room 201-B**

### **M I N U T E S**

TAPE No. 13, Side A, No. 001 to end of tape

TAPE No. 13, Side B, No. 001 to end of tape

TAPE No. 14, Side A, No. 001 to 711

PRESENT: Supervisors Krug, Zielinski, Johnson, T. and McGuigan (Chairman)

EXCUSED: Supervisors Bailey, Coggs-Jones and Holloway (later present)

#### **Scheduled Items:**

1. 02-358 From Criminal Justice Program Manager, HOC, requesting authority to execute a one-year professional service contract with Milwaukee Area Technical College, with two annual renewal options contingent upon funding, in order to provide literacy needs of the incarcerated individuals at the House of Correction.

APPEARANCES: Ms. Jan Brylow, Criminal Justice Program Manager, HOC  
Mr. Ronald K. Malone, Superintendent, House of Correction

***MOTION BY (KRUG):*** Approve items 1 and 2 (file nos. 02-358 and 02-359).  
**(Vote 5-0)**

AYES: Krug, Zielinski, Holloway, Johnson and McGuigan (Chairman)

NOES: None

EXCUSED: Bailey and Coggs-Jones

2. 02-359 From Criminal Justice Program Manager, HOC, requesting authority to execute a one-year professional service contract with Milwaukee Area Technical College, with two annual renewal options contingent upon funding, in order to provide literacy needs of the adult population incarcerated in the Milwaukee County Jail.

***SEE ACTION UNDER NUMBER ONE ABOVE.***

3. 02-373 From the Sheriff, requesting approval of a contract for pharmacy services for the Milwaukee County Jail and House of Correction. (FROM PROGRAM ADMINISTRATOR DATED 7/2/02; AND FROM COLORADO STATE BOARD OF PHARMACY DATED 8/2000 AND 7/11/02.)

Scheduled Items (Continued):

APPEARANCES: Mr. Michael Kalonick, Administrator, Health and Mental Health Programs  
Sheriff David A. Clarke, Jr.  
Inspector Gary Kasza, Sheriff's Department  
Representative Spencer Coggs (support lay over)  
Representative Plale  
Mr. Peter Hovis, Roeschen's Healthcare  
Mr. Mark P. Celebre, Roeschen's Ominicare Pharmacy  
Ms. Luisa Ginnetti, Senior Research Analyst, County Board  
Mr. Robert E. Andrews, Deputy Corporation Counsel

**MOTION BY (KRUG):** Approve the contract with the stipulation that: (1) information is provided on certification questions on the company prior to Board day; and (2) prior to the final negotiations, the department has the right to raise that issue and use this information as it deems appropriate. Further, Intergovernmental Relations Committee staff is directed, as a legislative lobbying issue, to have the Legislature change state law to allow Wisconsin companies to bill at less than the Title 19 reimbursement rate. **(Vote 3-2)**

AYES: Krug, Zielinski and McGuigan (Chairman)

NOES: Holloway and Johnson

EXCUSED: Bailey and Coggs-Jones

4. 02-J-08 From Administrator, Health and Mental Health Programs, relative to a dialysis request for proposal and its potential benefits for the Sheriff's Department. **(Copy attached to original copy of these minutes.)**

APPEARANCES: Inspector Misko, Sheriff's Department  
Inspector Gary Kasza, Sheriff's Department  
Mr. Michael Kalonick, Administrator, Health and Mental Health Programs

**NO ACTION TAKEN ON THE ABOVE ITEM.**

5. 02-J-08 From Administrator, Health and Mental Health Programs, relative to General Assistance Medical Program (GAMP) providing utilization management services to the Sheriff's Department. **(Copy attached to original copy of these minutes.)**

APPEARANCES: Mr. Michael Kalonick, Administrator, Health and Mental Health Programs  
Inspector Gary Kasza, Sheriff's Department

**NO ACTION TAKEN BY THE COMMITTEE ON THE ABOVE ITEM.**

## Scheduled Items (Continued):

***The Committee adjourned for ten minutes; roll call upon reconvening into open session:***

PERSENT: Krug, Zielinski, Holloway, Johnson and McGuigan (Chairman)

EXCUSED: Bailey and Coggs-Jones

Chairman McGuigan directed Corporation Counsel to review the additional information provided today [as it relates to file number 02-373] and prior to Board day, opine whether or not it will affect the request for proposal.

6. 02-130 (a) From County Board Research Analyst, submitting a report in response to an adopted resolution directing a review, comparison and analysis of the history, duties and composition of Milwaukee County's Pension Board, Pension Study Commission, Ethics Board and Election Commission. **(Also to the Committee on Personnel)**

APPEARANCES: Mr. Robert Murphy, County Board Research Analyst  
Mr. Webster Harris

Mr. Murphy explained that the findings of this report will be referred to the Select Committee on County Government Structure and Procedures; any concerns of this Committee, the Pension Board or any other entities, would be provided [by County Board staff] to the Select Committee for their review.

***NO ACTION TAKEN ON THE ABOVE ITEM.***

7. 02-344 From General Manager, Pinelawn Memorial Park, requesting approval of four-cemetery plat maps. **(Suggested action: Refer to the Department of Public Works.)**

APPEARANCES: Ms. Luisa Ginnetti, Senior Research Analyst, County Board

***MOTION BY (KRUG):*** Refer to the Department of Public Works.  
***NO OBJECTIONS; SO ORDERED.***

**CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION** (Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.):

8. 02-406 From Principal Assistant Corporation Counsel recommending acceptance of an agreement in the matter of **Dolinsky v. Milwaukee County**, Case No. 01-C-0877. (Formerly File No. 02-J-09.)

Scheduled Items (Continued):

APPEARANCES: Mr. Robert E. Andrews, Deputy Corporation Counsel

**MOTION BY (KRUG):** Approve items 8 through 10 (file nos. 02-J-09; 02-18(a) and 01-492). **(Vote 5-0)**

AYES: Krug, Zielinski, Holloway, Johnson and McGuigan (Chairman)

NOES: None

EXCUSED: Bailey and Coggs-Jones

9. 02-407 From Deputy Corporation Counsel, recommending payment of **\$7,500** to settle all claims of **Anthony Abernathy** arising out of a December 6, 2000 fall at the Milwaukee County Courthouse.

**SEE ACTION UNDER NUMBER (8) ABOVE.**

10. 01-492 From Wisconsin Correctional Service, submitting a claim for property damages allegedly sustained due to a water leak in the office located in the Community Correctional Center. **(Corporation Counsel recommends payment of \$1,508.00 in settlement of this claim.)**

**SEE ACTION UNDER NUMBER (8) ABOVE.**

**The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:**

11. 00-54(a)() Status report from Corporation Counsel relative to legal work in connection with the West Allis storm water lawsuit.

APPEARANCES: Mr. Robert E. Andrews, Deputy Corporation Counsel  
Supervisor John Weishan, Jr., Twenty-Second District (against)

**MOTION BY (KRUG):** Adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the above matter. **(Vote 5-0)**

AYES: Krug, Zielinski, Holloway, Johnson and McGuigan (Chairman)

NOES: None

EXCUSED: Bailey and Coggs-Jones

**Roll call upon convening into open session:**

PRESENT: Krug, Zielinski, Holloway, Johnson and McGuigan

**Scheduled Items (Continued):**

(Chairman)

EXCUSED: Bailey and Coggs-Jones

Chairman McGuigan order the above matter laid over until the September, 2002 meeting.

12. 02-403 A resolution/ordinance by Supervisors Holloway, Schmitt, Zielinski, Coggs-Jones and Johnson, creating a County Board Committee on Audit, Rules and Procedures. (SUBSTITUTE RESOLUTION/ORDINANCE) **(Also to the Committee on Finance and Audit.)** (Tape No. 14A-678)

**MOTION BY (ZIELINSKI):** Refer to staff to review and come back with an evaluation and analysis and recommendation at the next meeting of the Judiciary Committee. **(Vote 5-0)**

AYES: Krug, Zielinski, Holloway, Johnson and McGuigan (Chairman)

NOES: None

EXCUSED: Bailey and Coggs-Jones

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STAFF PRESENT: Ms. Jan Brylow, Criminal Justice Program Manager, HOC  
Mr. Ronald K. Malone, Superintendent, House of Correction  
Mr. Michael Kalonick, Administrator, Health and Mental Health Programs  
Sheriff David A. Clarke, Jr.  
Inspector Gary Kasza, Sheriff's Department  
Ms. Luisa Ginnetti, Senior Research Analyst, County Board  
Mr. Robert E. Andrews, Deputy Corporation Counsel  
Inspector Misko, Sheriff's Department  
Mr. Robert Murphy, County Board Research Analyst

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 11:30 a.m.

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Maribeth Welchman, Committee Clerk

mw:7/23/2002:Jm071102

Acting Chairperson: Supervisor Tom Bailey  
Committee Clerk: Maribeth Welchman, 278-4226  
Research Analyst: Luisa Ginnetti, 278-5290

## COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, September 12, 2002 -- 9:00 a.m.  
Milwaukee County Courthouse, Room 201-B

### MINUTES

TAPE No. 14, Side B, No. 001 to end of tape  
TAPE No. 15, Side A, No. 001 to end of tape  
TAPE No. 15, Side B, No. 001 to 275

PRESENT: Supervisors Zielinski, Johnson, T., Broderick, McDonald, Agnos and Bailey  
(Acting Chairman)

EXCUSED: Supervisor Krug (later present)

#### Scheduled Items:

1. 02-415 From the County Executive, appointing Mr. David A. Bretl to the position of Corporation Counsel for Milwaukee County. (Tape No. 14B-727)

APPEARANCES: County Executive Scott Walker  
Mr. David Bretl  
Supervisor Willie Johnson, 13<sup>th</sup> District (support)

**MOTION BY (AGNOS):** Approve. **(Vote 7-0)**

AYES: Krug, Zielinski, Johnson, T., Broderick, McDonald, Agnos and Bailey  
(Acting Chairman)

NOES: None

EXCUSED: None

2. 02-344 From General Manager, Pinelawn Memorial Park, requesting approval of four-cemetery plat maps. **(REPORT FROM THE DEPARTMENT OF PUBLIC WORKS DATED 8/28/02.)** (Tape No. 14B-027)

**MOTION BY (AGNOS):** Approve. **(Vote 6-0)**

AYES: Zielinski, Johnson, T., Broderick, McDonald, Agnos and Bailey  
(Acting Chairman)

NOES: None

EXCUSED: Krug

**Scheduled Items (Continued):**

3. 02-J-05 Informational report from the Department of Public Works (DPW), Facilities Management, relative to courthouse security. (Tape No. 14B-038) **(Copy attached to original copy of these minutes.)**

Supervisor Krug present (Tape No. 14B-065).

APPEARANCES: Mr. John Dehli, Director, Facilities Management, DPW  
Deputy Inspector Kevin Carr, Sheriff's Department  
Discussion ensued, tape no. 14B-038 to 14B-248.

Chairman Bailey directed staff to look at security where it is needed and consolidate services where it is warranted. He stated his concerns relative to the zero tolerance policy (in terms of people getting through security) and that it should be inclusive of lower-level security personnel and deputy sheriffs. He asked that these issues be communicated to the County Executive and should be brought back to the committee if there are any problems.

***NO ACTION TAKEN BY THE COMMITTEE ON THE ABOVE ITEM.***

4. 02-372 A substitute resolution/ordinance by Supervisors Holloway, Schmitt, Zielinski and others, creating a County Board Committee on Audit, Rules and Procedures. **(Also to Committee on Finance and Audit) (REPORT FROM COUNTY BOARD STAFF DATED 9/5/02.)**

***MOTION BY (ZIELINSKI):*** Temporary lay over (Tape No. 14B-766).  
NO OBJECTIONS; SO ORDERED.

***MOTION BY (KRUG):*** Lay over (Tape No. 15A-669).  
NO OBJECTIONS; SO ORDERED.

5. 02-416 An Ordinance by Supervisors Bailey, DeBruin, Diliberti, Krug and Agnos, to amend Chapter 9 of the General Ordinances of Milwaukee County relative to campaign contributions by County elected officials and employees. (Tape No. 14B-769 to 15A-275)

APPEARANCES: Supervisor Daniel Diliberti, First Vice Chairman (support referral to Corporation Counsel and County Board staff.)  
Supervisor Willie Johnson, 13<sup>th</sup> District

Supervisor Diliberti stated that the matter should be referred to Corporation Counsel for a formal opinion regarding the employment status of constituents and whether preventing them from giving to a political campaign violates their constitutional rights; in addition, how does

Scheduled Items (Continued):

[someone] know if a contributor is a county employee or contracting service with the county?

Supervisor Broderick expressed concern with the rights of employees and the constitutional issues this ordinance raises. Supervisor Zielinski had concerns with coercion of employees and the issue of over- or under-exclusivity and civil service versus appointed county positions. Supervisor Krug requested that Corporation Counsel look at the criminal statutes regarding the definition of coercion [of public employees].

**MOTION BY (KRUG):** Refer to Corporation Counsel to address the questions raised. **(Vote 7-0)** (Tape No. 15A-068)

AYES: Krug, Zielinski, Johnson, T., Broderick, McDonald, Agnos and Bailey (Acting Chairman)

NOES: None

EXCUSED: None

6. 02-447 From County Executive Scott Walker, submitting a resolution/ordinance to place an advisory referendum concerning term limits for the members of the County Board of Supervisors and the County Executive on the November 5, 2002 ballot. (Tape No. 15A-290)

**MOTION BY (JOHNSON):** Place on file. **(Vote 7-0)**

AYES: Krug, Zielinski, Johnson, T., Broderick, McDonald, Agnos and Bailey (Acting Chairman)

NOES: None

EXCUSED: None

7. 02-428 Resolution by Supervisors Diliberti and Agnos, to implement most of the recommendations contained in a County Board staff report on the duties and composition of Milwaukee County's Election Commission, Ethics Board, Pension Board and Pension Study Commission. **(Also to the Committee on Personnel)** (Tape No. 15A-300)

APPEARANCES: Supervisor Daniel Diliberti, First Vice Chairman

Ms. Luisa Ginnetti, Senior Research Analyst, County Board

Mr. Mike Howden, retiree of Milwaukee County (support more open and independent retirement system with an equal number of representatives for retirees.)

**MOTION BY (KRUG):** Refer to Corporation Counsel and County Board staff to develop implementing language for each of the four proposed recommendations and to address legal concerns in terms of the proposed changes. **(Vote 7-0)**

Scheduled Items (Continued):

AYES: Krug, Zielinski, Johnson, T., Broderick, McDonald, Agnos and Bailey (Acting Chairman)

NOES: None

EXCUSED: None

Supervisor Krug stated that the lobbying statute needs to be reviewed relative to its effectiveness.

8. 02-445 A resolution by Supervisor Zielinski expressing the strong support of the Milwaukee County Board of Supervisors for preservation of the Milwaukee County Sheriff Department's helicopter program, provided that a means of funding the program without the use of County property tax levy can be identified. (Report from the Sheriff entitled, "2001-2002 Aviation Division.")

APPEARANCES: Sheriff David A. Clarke, Jr.

Mr. Don Holt, Milwaukee County Law Enforcement Executive's Association (MCLEEA) (support air wing)

Mr. Tom Bauer, Police Chief of the City of Oak Creek (support air wing)

Discussion ensued (tape No. 14B-253 to 14B-621).

Sheriff Clarke stated that his focus is on funding better equipment for the people on the ground to meet the needs of society rather than an air wing. Supervisor Johnson stated that the Sheriff needs the ability to exercise his leadership philosophy.

Supervisor Zielinski stated that MCLEEA could look at the possibility of securing funds for the helicopter program; Mr. Buaer affirmed that the air wing deserves a chance while funding sources are researched.

**MOTION BY (ZIELINSKI):** Approve (motion later withdrawn for referral to the budget process).

**MOTION BY (KRUG)** Lay over to the budget process. **(Vote 5-2)**

AYES: Krug, Johnson, T., Broderick, Agnos and Bailey (Acting Chairman)

NOES: Zielinski and McDonald

EXCUSED: None

9. 02-444 A resolution by Supervisor Zielinski authorizing the Sheriff's Department to work with the Department of Administration, Department of Audit and County Board staff to produce an analysis that will indicate the total fiscal effects on both revenues and expenditures of reducing the number of

**Scheduled Items (Continued):**

Deputy Sheriffs assigned to patrol Milwaukee County's expressways from 65 to 57 and reducing the number of expressway patrol sectors from seven to six, and expressing the opposition of the Milwaukee County Board of Supervisors to any such reductions pending the results of the analysis.  
(Tape No. 16B-640)

***MOTION BY (ZIELINSKI):*** Lay over. **(Vote 7-0)**

AYES: Krug, Zielinski, Johnson, T., Broderick, McDonald, Agnos and Bailey  
(Acting Chairman)

NOES: None

EXCUSED: None

10. 02-448 From Assistant Director, Office of the Sheriff, Emergency Management Division, requesting authorization to apply for and accept emergency management planning grants available for the Federal 2003 Fiscal Year under Emergency Management Programs. (Tape No. 15A-525)

APPEARANCES: Mr. Carl Stenbol, Assistant Director, Office of Emergency Management, Sheriff's Department  
Ms. Sera M?, Benedict Center

***MOTION BY (KRUG):*** Approve items 10 through 14. **(Vote 7-0)**

AYES: Krug, Zielinski, Johnson, T., Broderick, McDonald, Agnos and Bailey  
(Acting Chairman)

NOES: None

EXCUSED: None

11. 02-449 From Assistant Director, Office of the Sheriff, Emergency Management Division, requesting authorization to apply for and accept grants from the Emergency Planning and Community Right-to-Know Act (EPCRA) and Wisconsin Act 342.

***SEE ACTION TO APPROVE UNDER NUMBER 10 ABOVE.***

12. 02-452 From Assistant Director, Office of the Sheriff, Emergency Management Division, requesting authorization to apply for and accept funds through the 2003 Hazardous Material Transportation Act (HMTA) grant.

***SEE ACTION TO APPROVE UNDER NUMBER 10 ABOVE.***

13. 02-451 From Assistant Director, Office of the Sheriff, Emergency Management Division, requesting authorization to apply for and accept homeland security grants available for the Federal 2003 Fiscal Year under Emergency Management Programs.

Scheduled Items (Continued):

**SEE ACTION TO APPROVE UNDER NUMBER 10 ABOVE.**

14. 02-450 From Assistant Director, Office of the Sheriff, Emergency Management Division, requesting authorization to accept private sector donations in support of emergency management operations.

**SEE ACTION TO APPROVE UNDER NUMBER 10 ABOVE.**

15. 02-479 From the Sheriff, requesting approval of a contract with Gambro Healthcare to provide on-site dialysis service at the Milwaukee County Jail. (Tape No. 15A-669)

APPEARANCES: Inspector Gary Kasza, Sheriff's Department  
Mr. Michael Kalonick, Administrator, Health and Mental Health Programs

**MOTION BY (KRUG):** Approve. **(Vote 7-0)**

AYES: Krug, Zielinski, Johnson, T., Broderick, McDonald, Agnos and Bailey (Acting Chairman)

NOES: None

EXCUSED: None

16. 02-480 From the Sheriff, requesting approval of a renegotiated contract with Pyramid HIM to provide medical record services at the Milwaukee County jail. (Tape No. 15A-729)

APPEARANCES: Mr. Michael Kalonick, Administrator, Health and Mental Health Programs

**MOTION BY (KRUG):** Approve. **(Vote 7-0)**

AYES: Krug, Zielinski, Johnson, T., Broderick, McDonald, Agnos and Bailey (Acting Chairman)

NOES: None

EXCUSED: None

17. 02-J-08 From the Administrator, Health and Mental Health Programs, submitting the following **informational reports** (Tape No. 15A-775 to 15B-182). **(Copies attached to original copy of these minutes.):**

- A. Update on implementation of the Y&S Pharmacy contract.
- B. Notice that the Symphony Mobilex contract has been expanded to provide on-site ultrasound services.
- C. Notice that the Office of the Sheriff has entered into a letter of

**Scheduled Items (Continued):**

agreement to provide utilization management services on inmates admitted to acute care hospitals.

- D. Update on efforts to recruit a Medical Director for the Milwaukee County jail.
- E. Report on the cost impact of the increased number of pregnant inmates in custody.
- F. Report on attempts to recover in-patient hospital bills paid by Milwaukee County which should have been paid by Title XIX.

APPEARANCES: Mr. Michael Kalonick, Administrator, Health and Mental Health Programs  
Inspector Gary Kasza, Sheriff's Department  
Mr. Robert E. Andrews, Deputy Corporation Counsel

Mr. Kalonick stated that monthly reports regarding the pharmacy contract would begin in October, 2002.

***NO ACTION TAKEN BY THE COMMITTEE ON THE ABOVE INFORMATIONAL ITEMS.***

\* \* \* \* \*

**The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matters. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary.**

**CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION (Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.)**

- 18. 02-120 From Principal Assistant Corporation Counsel relative to the  
(a)(b) Milwaukee County Circuit Court's order awarding fees to the Legal Aid Society and American Civil Liberties Union of Wisconsin.  
**(Corporation Counsel recommends payment of ~~\$357,703.00~~ \$361,703.00 in settlement of this claim.)**

APPEARANCES: Mr. Robert E. Andrews, Deputy Corporation Counsel corrected the settlement recommendation to be \$361,703.00 instead of the amount previously listed on the agenda. (Tape No. 15B-218)

Scheduled Items (Continued):

**MOTION BY (KRUG):** Move to go into closed session under Section 19.85(1)(g) relative to items 18, 25, 26 and 27. **(Vote 7-0)** (Tape No. 15B-250)

AYES: Krug, Zielinski, Johnson, T., Broderick, McDonald, Agnos and Bailey (Acting Chairman)

NOES: None

EXCUSED: None

**ROLL CALL UPON CONVENING INTO OPEN SESSION:**

(Tape No. 15B-263)

AYES: Krug, Zielinski, Johnson, T., Broderick, McDonald, Agnos and Bailey (Acting Chairman)

NOES: None

EXCUSED: None

**MOTION BY (KRUG):** Approve items 18 and 25 (Tape No. 15B-265). **(Vote 7-0)**

AYES: Krug, Zielinski, Johnson, T., Broderick, McDonald, Agnos and Bailey (Acting Chairman)

NOES: None

EXCUSED: None

Chairman Bailey laid over items 26 and 27 to the call of the chair; upon hearing no objections, the matters were laid over.

19. 02-455 From Deputy Corporation Counsel, recommending payment of **\$50,000.00** in settlement of a claim by St. Paul Fire and Marine Insurance relative to the Milwaukee Art Museum.

APPEARANCES: Mr. Robert E. Andrews, Deputy Corporation Counsel (Tape No. 15B-220)

**MOTION BY (BRODERICK):** Approve [recommendations of Corporation Counsel relative to] items 19 through 24 . **(Vote 7-0)**

AYES: Krug, Zielinski, Johnson, T., Broderick, McDonald, Agnos and Bailey (Acting Chairman)

NOES: None

EXCUSED: None

20. 00-127 From Attorneys Urban, Taylor and Stawski, Ltd., submitting a claim on behalf of Frank and Rose Mary Macek for injuries and damages allegedly sustained as a result of an accident involving a Milwaukee County-owned vehicle on January 2, 2000. **(Corporation Counsel**

Scheduled Items (Continued):

**recommends payment of \$26,373.48 in settlement of this claim.)**

**SEE ACTION TO APPROVE UNDER NUMBER 19 ABOVE.**

21. 01-350 From Law Offices of Warshafsky, Rotter, Tarnoff, Reinhardt & Bloch, S.C., submitting a claim in behalf of Teri L. Drummond for injuries and damages allegedly sustained as a result of an accident occurring on October 13, 1999 involving a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment of \$12,000.00 in settlement of this claim.)**

**SEE ACTION TO APPROVE UNDER NUMBER 19 ABOVE.**

22. 01-491 From Gaines Law Offices, S.C., submitting a claim in behalf of Chevis A. Walker for injuries and damages allegedly sustained while an inmate at the Milwaukee County House of Correction. **(Corporation Counsel recommends payment of \$1,500.00 in settlement of this claim.)**

**SEE ACTION TO APPROVE UNDER NUMBER 19 ABOVE.**

23. 02-437 From Yijuan Ran, submitting a claim for injuries and damages allegedly sustained when involved in an accident with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment of \$1,450.00 in settlement of this claim.)**

**SEE ACTION TO APPROVE UNDER NUMBER 19 ABOVE.**

24. 02-321 From the Chief of Police, City of South Milwaukee, submitting a claim for damages allegedly sustained to a South Milwaukee squad car which was involved in an accident with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment of \$1,160.03 in settlement of this claim.)**

**SEE ACTION TO APPROVE UNDER NUMBER 19 ABOVE.**

25. 02-446 From Deputy Corporation Counsel, recommending approval of a settlement agreement regarding Deborah D. Sharp-Summit v. County of Milwaukee Department of Human Services ERD Case No. CR200103030, EEOC Case No. 26GA11775. **(Corporation Counsel recommends payment of \$22,000.00 in settlement of this claim.)**

**SEE ACTION TO APPROVE UNDER NUMBER 18 ABOVE.**

**Scheduled Items (Continued):**

26. 00-054 From Corporation Counsel, relative to legal work in connection with  
(a) the West Allis storm water lawsuit. **(LAID OVER 7/19/02)**

**SEE ACTION TO LAY OVER TO THE CALL OF THE CHAIR UNDER  
NUMBER 18 ABOVE.**

27. 01-247 From Principal Assistant Corporation Counsel relative to an adopted  
(a)(a) resolution authorizing negotiations with Sauk and Juneau Counties for  
the recovery of County costs arising out of the August 20, 2000  
helicopter accident.

**SEE ACTION TO LAY OVER TO THE CALL OF THE CHAIR UNDER  
NUMBER 18 ABOVE.**

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**STAFF PRESENT:**

Ms. Luisa Ginnetti, Senior Research Analyst, County Board  
Mr. Robert E. Andrews, Deputy Corporation Counsel  
Mr. John Dehli, Director, Facilities Management, DPW  
Deputy Inspector Kevin Carr, Sheriff's Department  
Mr. Carl Stenbol, Assistant Director, Office of Emergency Management, Sheriff's  
Department  
Mr. Michael Kalonick, Administrator, Health and Mental Health Programs  
Inspector Gary Kasza, Sheriff's Department

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Adjourned: 12:15 p. m.

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Maribeth Welchman, Committee Clerk

mw:9/16/2002  
Jm091202

Chairperson: Supervisor T. Anthony Zielinski  
Committee Clerk: Maribeth Welchman, 278-4226  
Research Analyst: Luisa Ginnetti, 278-5290

## COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, October 17, 2002 -- 9:00 a.m.  
Milwaukee County Courthouse, Room 201-B

### MINUTES

TAPE No. 15, Side B, No. 280 to 500

PRESENT: Supervisors Bailey, Krug, Cesarz, Johnson, T., Broderick and Zielinski  
(Chairman)

EXCUSED: Supervisor McDonald

#### Scheduled Items:

1. 02-514 From Director, Department of Administration, requesting approval of a Joint Spending Plan with the City of Milwaukee for 2002 Local Law Enforcement Block Grant expenditures. **(Also to the Committee on Finance and Audit.)**

APPEARANCES: Ms. Linda J. Seemeyer, Director, Department of Administration (Tape No. 15B-291)

Ms. Molly Pahl, Budget Analyst, Department of Administration

Discussion ensued regarding the \$36,000 cost not placed in the current budget and the cost of palm pilots and software. Ms. Pahl stated she would provide the committee with the specific costs of the units (hardware and software).

**MOTION BY (KRUG):** Approve (Tape No. 15B-370). **(Vote 6-0)**

AYES: Bailey, Krug, Cesarz, Johnson, T., Broderick and Zielinski  
(Chairman)

NOES: None

EXCUSED: McDonald

2. 02-529 From Criminal Justice Program Manager, requesting approval to apply for and accept a federal grant for Jail Literacy Programming at the House of Correction.

APPEARANCES: Ms. Jan Brylow, Criminal Justice Program Manager,  
HOC

**Scheduled Items (Continued):**

Mr. Todd Ashworth, Assistant Superintendent, HOC

**MOTION BY (BAILEY):** Approve (Tape No. 15B-383). **(Vote 6-0)**

AYES: Bailey, Krug, Cesarz, Johnson, T., Broderick and Zielinski  
(Chairman)

NOES: None

EXCUSED: McDonald

3. 02-528 From Criminal Justice Program Manager, requesting approval to apply for and accept a federal grant from the Office of Justice Assistance for fourth-year funding for the Day Reporting Center. (Tape No. 15B-447)

APPEARANCES: Ms. Jan Brylow, Criminal Justice Program Manager,  
HOC

Mr. Todd Ashworth, Assistant Superintendent, HOC

Ms. Sura Faraj, the Benedict Center (support)

Extensive discussion ensued regarding follow-up recidivism rate comparisons between inmates completing the program and those who did not participate; inmates who may have committed crimes while in the program; and comparison of the costs of incarceration and the day reporting program. Chairman Zielinski requested that the department provide (before board day, if possible) the percentage of people who committed crimes while they were in the day reporting program.

**MOTION BY (KRUG):** Approve **(Vote 5-1)**

AYES: Bailey, Krug, Cesarz, Johnson, T., and Broderick

NOES: Zielinski (Chairman)

EXCUSED: McDonald

**The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matters. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:**

\* \* \* \* \*

**CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION**

(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.)

## Scheduled Items (Continued):

4. 01-050 From Attorneys Hertel & Gibbs, S.C., submitting a claim in behalf of Debra Gajewski, in regard to the death of her sister, Cynthia Kaminsky on March 21, 1999 for injuries and damages allegedly sustained due to the treatment and lack of treatment Cynthia received at the Milwaukee County Mental Health Complex. **(Corporation Counsel recommends payment of \$40,000.00 in settlement of this claim.)** (Tape No. 15B-708)

APPEARANCES: Mr. Robert E. Andrews, Deputy Corporation Counsel

**MOTION BY (BAILEY):** Move to go into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the above matter. **(Vote 6-0)**

AYES: Bailey, Krug, Cesarz, Johnson, T., Broderick and Zielinski (Chairman)

NOES: None

EXCUSED: McDonald

### **ROLL CALL UPON CONVENING INTO OPEN SESSION:**

PRESENT: Supervisors Bailey, Krug, Cesarz, Johnson, T., Broderick and Zielinski (Chairman)

EXCUSED: Supervisor McDonald

**MOTION BY (BAILEY):** Approve [Corporation Counsel's recommended settlement]. **(Vote 6-0)**

AYES: Bailey, Krug, Cesarz, Johnson, T., Broderick, McDonald and Zielinski (Chairman)

NOES: None

EXCUSED: None

5. 01-228 & 01-343 From CGU Midwest Insurance, submitting a claim under their subrogation rights of their insured, Joe and Tamara Mallet, for reimbursement of payment made for the alleged injuries and damages sustained as a result of an accident occurring on January 30, 2001 involving a Milwaukee County-owned vehicle; and From Attorney M. Angela Dentice, LLC, submitting a claim in behalf of Tamara Mallett for injuries and damages allegedly sustained when involved in an accident with a Milwaukee County-owned vehicle; and a claim in behalf of Joseph Mallett, husband of the claimant, for the loss of society and companionship of his wife. **(Corporation Counsel recommends**

Scheduled Items (Continued):

**payment of \$4,938.83 to CGU Midwest Insurance and \$14,612.74 to Tamara Mallett in settlement of this claim.)** (Tape No. 15B-674)

APPEARANCES: Mr. Robert E. Andrews, Deputy Corporation Counsel

**MOTION BY (KRUG):** Approve items 5 (File nos. 01-228 & 01-343) and 6 (File No. 02-496). **(Vote 6-0)**

AYES: Bailey, Krug, Cesarz, Johnson, T., Broderick and Zielinski (Chairman)

NOES: None

EXCUSED: McDonald

6. 02-496 From Kevin J. Burg, submitting a claim for damages allegedly sustained to his automobile when it was struck by a Milwaukee County snowplow. **(Corporation Counsel recommends payment of \$751.32 in settlement of this claim.)**

**SEE ACTION UNDER NUMBER FIVE (5) ABOVE.**

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STAFF PRESENT: Ms. Linda J. Seemeyer, Director, Department of Administration  
Ms. Molly Pahl, Budget Analyst, Department of Administration  
Ms. Jan Brylow, Criminal Justice Program Manager, HOC  
Mr. Todd Ashworth, Assistant Superintendent, HOC  
Mr. Robert E. Andrews, Deputy Corporation Counsel  
Ms. Luisa Ginnetti, Senior Research Analyst, County Board

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 10:00 a.m.

*Maribeth Welchman*

Committee Clerk

mw:12/2/2002:Jm101702

**Scheduled Items (Continued):**

Chairperson: Supervisor T. Anthony Zielinski  
Committee Clerk: Maribeth Welchman, 278-4226  
Research Analyst: Luisa Ginnetti, 278-5290

## **COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES**

**Thursday, December 5, 2002 -- 9:00 a.m.**  
**Milwaukee County Courthouse, Room 201-B**  
**MINUTES**

TAPE No. 16, Side A, No. 010 to end of tape  
TAPE No. 16, Side B, No. 001 to end of tape  
TAPE No. 17, Side A, No. 001 to 665

PRESENT: Supervisors Bailey, Cesarz, Johnson, T., Broderick, McDonald and Zielinski  
(Chairman)

EXCUSED: Supervisor Krug (later present)

### **Scheduled Items:**

1. 02-588 From the County Executive, appointing Mr. William Domina to the position of Corporation Counsel for Milwaukee County. (Formerly File No. 02-J-15.)

APPEARANCES: County Executive Scott Walker (Tape No. 16B-446)  
Mr. William Domina

**MOTION BY (BAILEY):** Approve. **(Vote 7-0)**

AYES: Bailey, Krug, Cesarz, Johnson, T., Broderick, McDonald and Zielinski (Chairman)

NOES: None

EXCUSED: None

2. 02-619 From Director, Child Support Enforcement, requesting authorization to execute the 2003 State/County contract covering the administration of child and spousal support and establishment of paternity and medical support liability programs. (Tape No. 16B-154) (Formerly File No. 02-J-12.)

APPEARANCES: Ms. Lisa Marks, Deputy Director, Child Support Enforcement

**MOTION BY (BAILEY):** Approve. **(Vote 7-0)**

AYES: Bailey, Krug, Cesarz, Johnson, T., Broderick, McDonald and Zielinski (Chairman)

NOES: None

EXCUSED: None

**Scheduled Items (Continued):**

3. 02-577 From Legal Aid Society of Milwaukee, Inc. (LASM) requesting approval of a proposed 2003-2004 Guardian ad Litem Services Fee agreement between LASM and Milwaukee County. (Tape No. 16B-209) (Formerly File No. 02-J-10.)

APPEARANCES: Chief Judge Michael J. Skwierawski  
Mr. James L. Walrath, Executive Director, LASM

**MOTION BY (BAILEY):** Approve, amended as follows: page 2 of the contract, section 3B, change \$120,141 to \$119,970.66 and change \$124,771.45 to \$123,569.79. **(Vote 7-0)**

AYES: Bailey, Krug, Cesarz, Johnson, T., Broderick, McDonald and Zielinski (Chairman)

NOES: None

EXCUSED: None

4. 02-620 From Criminal Justice Program Manager, House of Correction (HOC), requesting approval to apply for and accept a federal grant for jail literacy programming at the Milwaukee County Jail. (Formerly File No. 02-J-10.)

APPEARANCES: Ms. Jan Brylow, Criminal Justice Program Manager, HOC

**MOTION BY (BAILEY):** Approve. **(Vote 7-0)**

AYES: Bailey, Krug, Cesarz, Johnson, T., Broderick, McDonald and Zielinski (Chairman)

NOES: None

EXCUSED: None

5. 02-621 From Uniformed Services Bureau, Patrol Division, requesting authority to apply for grant funding for 2002/2003 to participate in the Wisconsin Department of Transportation's CLICKIT! - WHY RISK IT? Program. (Tape No. 16B-524) (Formerly File No. 02-J-11.)

APPEARANCES: Captain Richard Schmitt, Uniformed Services Bureau  
Sheriff David A. Clarke, Jr.

**MOTION BY (JOHNSON):** Approve. **(Vote 4-2)**

AYES: Cesarz, Johnson, T., McDonald and Zielinski (Chairman)

NOES: Krug and Broderick

EXCUSED: Bailey

6. 02-J-13 Jail Population verbal report. **(For Information Only)** (Tape No. 16B-585)

Scheduled Items (Continued):

to 17A-240)

APPEARANCES: Sheriff David A. Clarke, Jr.  
Ms. Jerianne L. Feiten, Deputy Inspector, Detention Services Bureau,  
Sheriff's Department  
Mr. John Schapekahn, Principal Assistant Corporation Counsel  
Deputy Inspector Kevin Carr, Sheriff's Department

Chairman Zielinski directed that the Sheriff's Department report back to the Judiciary Committee in one month with an action plan to deal with jail population as it relates to the booking department.

7. 02-J-14 Status report on Jail Pharmacy Services. **(For Information Only) (Report from Program Administrator dated 12/5/02.) (Copy attached to original copy of these minutes.)**  
(Tape No. 17A-241 to 17A-407)

APPEARANCES: Mr. Michael Kalonick, Administrator, Health and Mental Health Programs

**MOTION BY (JOHNSON):** Direct future quarterly reports on this issue.  
NO OBJECTIONS; SO ORDERED.

8. 02-428 Resolution by Supervisors Diliberti and Agnos, to implement most of the recommendations contained in a County Board staff report on the duties and composition of Milwaukee County's Election Commission, Ethics Board, Pension Board and Pension Study Commission. **(Also to the Committee on Personnel ) (Five (5) resolutions from County Board staff (02-428(a) through 02-428(e))** (Tape No. 16A-010 to 16B-150)

Supervisor Krug present (Tape No. 16A-052).

APPEARANCES: Mr. Jerome Heer, Director of Audits  
Mr. Robert E. Andrews, Deputy Corporation Counsel  
Mr. Jerry Reider, support electing retiree member from the retiree membership  
Mr. Cliff Van Beek  
Mr. Robert Murphy, County Board Research Analyst  
Ms. Luisa Ginnetti, Senior Research Analyst, County Board

**MOTION BY (BAILEY):** Approve item 8(a) (Tape No. 16A-075).

Supervisor Cesarz questioned the recommendations that direct what an election official may or may not do, and if these prohibitions are part of the

### Scheduled Items (Continued):

ethics code. Mr. Andrews stated that the process ensures that there will be partisan political activity, and there is nothing currently in the ethics code that would limit conduct of the current members. Supervisor Broderick requested that on page 2, line 78, the following wording needs to be reviewed as the word "faction" is vague: "election officials be prohibited from participating or engaging in any political activity, making or soliciting any contributions for any political party, faction, or candidate, or any political campaign in any election that is supervised, regulate, or conducted by the official's office." Supervisor Bailey questioned how party affiliation works with the additional members. Supervisor Cesarz questioned whether there were any study recommendations from the budget that need to be considered regarding this issue.

***Vote on motion to approve item 8(a) (Tape No. 16A-261): (Vote 7-0)***

AYES: Bailey, Krug, Cesarz, Johnson, T., Broderick, McDonald and Zielinski (Chairman)

NOES: None

EXCUSED: None

***MOTION BY (KRUG):*** Approve item 8(b).

***MOTION BY (BAILEY):*** Amend the last "be it resolved" clause to authorize and direct the work group to examine these potential ordinance changes. (Tape No. 16A-340). ***(Vote 7-0)***

AYES: Bailey, Krug, Cesarz, Johnson, T., Broderick, McDonald and Zielinski (Chairman)

NOES: None

EXCUSED: None

***MOTION BY (JOHNSON):*** Modify language contained in the resolution to strike adoption of the ordinance; also refer language related to this issue contained in the budget narrative to the work group. ***(Vote 7-0)***

AYES: Bailey, Krug, Cesarz, Johnson, T., Broderick, McDonald and Zielinski (Chairman)

NOES: None

EXCUSED: None

***Vote on motion to approve 8(b), as amended: (Vote 7-0)***

AYES: Bailey, Krug, Cesarz, Johnson, T., Broderick, McDonald and Zielinski (Chairman)

NOES: None

EXCUSED: None

Supervisor Bailey questioned the fact that the "whereas" clauses do not

### Scheduled Items (Continued):

reflect policy recommendations of the “be it resolved” clauses. Supervisor Johnson stated that a study commission needs to look at the impact [of this resolution] and budget narratives relative to this issue. Supervisor Krug questioned whether it is clear how the retiree member is elected.

**MOTION BY (KRUG):** Amend to include the new language relative to the retiree member as item (c) instead of adding it to item (b).

**MOTION BY (JOHNSON):** Approve 8(c) establishing a work group to study the issue and make recommendations; approve the creation of a study group for further review.

**MOTION BY (BAILEY):** Amend Supervisor Johnson’s motion to approve by adding a “resolve clause” that reads: “the County Board of Supervisors does hereby authorize and direct the formation of a work group consisting of County Board staff, Corporation Counsel and Pension Board staff to review the recommendations contained in this resolution, as well as other recommendations they may deem appropriate and report back to the Judiciary Committee with recommendations for modifications.”

Mr. Andrews stated that if the amendments are approved, the remainder of the “be it resolved” clauses would be struck.

***Vote on motion to amend 8(c) by Supervisor Krug: (Vote 7-0)***

AYES: Bailey, Krug, Cesarz, Johnson, T., Broderick, McDonald and Zielinski (Chairman)

NOES: None

EXCUSED: None

***Vote on motion to amend 8(c) by Supervisor Bailey: (Vote 6-1)***

AYES: Bailey, Cesarz, Johnson, T., Broderick, McDonald and Zielinski (Chairman)

NOES: Krug

EXCUSED: None

***Vote on motion to approve 8(c), as amended: (Vote 6-1)***

AYES: Bailey, Cesarz, Johnson, T., Broderick, McDonald and Zielinski (Chairman)

NOES: Krug

EXCUSED: None

***MOTION BY (KRUG):*** Lay over items 8(d) and 8(e). **(Vote 7-0)**

AYES: Bailey, Krug, Cesarz, Johnson, T., Broderick, McDonald and Zielinski (Chairman)

**Scheduled Items (Continued):**

NOES: None

EXCUSED: None

***Note: Items 02-428(d) and 02-428(e) were approved by the Committee on Personnel.***

9. 02-416 An Ordinance by Supervisors Bailey, DeBruin, Diliberti and Krug, to amend Chapter 9 of the General Ordinances of Milwaukee County relative to campaign contributions by County elected officials and employees. **(Report from Corporation Counsel dated 12/2/02.)** (Tape No. 16B-151)

***MOTION BY (BAILEY):*** Lay over for report in conjunction with file no. 02-428. **(Vote 7-0)**

AYES: Bailey, Krug, Cesarz, Johnson, T., Broderick, McDonald and Zielinski (Chairman)

NOES: None

EXCUSED: None

10. 02-73 From Director of Audits, submitting revisions to Milwaukee County General Ordinances, Chapter 9 – Milwaukee County Code of Ethics. **(Also to the Committee on Finance and Audit; pursuant to adopted resolution to revise administrative procedures.)**  
(a)(a)

APPEARANCES: Mr. Jerome Heer, Director of Audits, stated that this issue may be laid over and referred to the County Executive for management procedures that could be implemented.

Supervisor Willie Johnson, 13<sup>th</sup> District

Supervisor Daniel J. Diliberti, Eighth District

Supervisor Bailey in the Chair (Tape No. 17A-440).

***MOTION BY (ZIELINSKI):*** Lay over to the call of the chair and refer to the County Executive for review and recommendation from a management perspective.

***MOTION BY (KRUG):*** Direct the Department of Administration to report back to the Judiciary and Finance Committees with recommendations in this area. Supervisor Zielinski accepted the amendment to his motion.  
**Amendment accepted by Supervisor Zielinski.**

***Vote on motion to lay over, as amended: (Vote 7-0)***

AYES: Bailey, Krug, Cesarz, Johnson, T., Broderick, McDonald and Zielinski (Chairman)

NOES: None

**Scheduled Items (Continued):**

EXCUSED: None

\* \* \* \* \*

**CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION** (Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.):

**The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:**

\* \* \* \* \*

11. 02-161 From Law Office of Daniel R. McCormick, submitting a claim in behalf of Linda Canada for injuries and damages allegedly sustained when a door fell off the hinges at the 12th & Vliet Department of Social Services Building. **(Corporation Counsel recommends payment of \$8,500.00 in settlement of this claim.)**

APPEARANCES: Mr. Robert E. Andrews, Deputy Corporation Counsel stated that item 14 (File No. 02-127) is withdrawn (Tape No. 17A-545).

**MOTION BY (BAILEY):** Approve items 11, 12 13 and 15 through 23. **(Vote 7-0)**

AYES: Bailey, Krug, Cesarz, Johnson, T., Broderick, McDonald and Zielinski (Chairman)

NOES: None

EXCUSED: None

12. 02-509 From Jeff Langer, submitting a claim for damages allegedly sustained to his automobile when involved in an accident with a Milwaukee County-owned vehicle occurring on September 4, 2002. **(Corporation Counsel recommends payment of \$6,487.99 in settlement of this claim.)**

**SEE ACTION TO APPROVE (VOTE 7-0) UNDER NUMBER (11) ABOVE.**

13. 01-703 From Attorneys David M. Dziobkowski and Frederick A. Moegenburg, submitting a claim in behalf of Jerome Reed for injuries and damages allegedly sustained when involved in an accident with a Milwaukee

**Scheduled Items (Continued):**

County-owned vehicle on September 7, 2001. **(Corporation Counsel recommends payment of \$6,000.00 in settlement of this claim.)**

**SEE ACTION TO APPROVE (VOTE 7-0) UNDER NUMBER (11) ABOVE.**

14. 02-127 From Marilyn F. Hackbarth, submitting a claim for injuries and damages allegedly sustained at the Washington Park Senior Center. **(Corporation Counsel recommends payment of \$5,000.00 in settlement of this claim.)**

**SEE ACTION TO WITHDRAW UNDER NUMBER (11) ABOVE.**

15. 02-419 From Clark Blachly, submitting a claim for damages allegedly sustained to his automobile from a gate swinging out while driving in Brown Deer Park. **(Corporation Counsel recommends payment of \$4,395.81 in settlement of this claim.)**

**SEE ACTION TO APPROVE (VOTE 7-0) UNDER NUMBER (11) ABOVE.**

16. 02-140 From Jeffrey S. Hynes & Associates, S.C., submitting a claim in behalf of Sandra Echols for injuries and damages allegedly sustained when the elevator operated in an improper manner at the Milwaukee County Courthouse. **(Corporation Counsel recommends payment of \$2,000.00 in settlement of this claim.)**

APPEARANCES: Mr. Robert E. Andrews, Deputy Corporation Counsel stated that the recommended settlement relative to item 16 should be \$2,000 (Tape No. 17A-545).

**MOTION BY (BAILEY):** Approve, as amended with a recommended settlement of \$2,000. **(Vote 7-0)**

AYES: Bailey, Krug, Cesarz, Johnson, T., Broderick, McDonald and Zielinski (Chairman)

NOES: None

EXCUSED: None

17. 02-459 From American Family Insurance Group, submitting a claim under their subrogation rights of their insured, Richard H. Kennedy, for reimbursement of payment made for alleged damages sustained to his automobile due to an incident occurring at Grant Park on August 23, 2002. **(Corporation Counsel recommends payment of \$1,945.61 in settlement of this claim.)**

**SEE ACTION TO APPROVE (VOTE 7-0) UNDER NUMBER (11) ABOVE.**

Scheduled Items (Continued):

18. 02-527 From Kathleen Harrison, submitting a claim for damages allegedly sustained to her car while parked in the System Parking Lot between 2nd & 3rd & Clybourn under the I-794 freeway. **(Corporation Counsel recommends payment of \$1,575.88 in settlement of this claim.)**
- SEE ACTION TO APPROVE (VOTE 7-0) UNDER NUMBER (11) ABOVE.**
19. 02-199 From Nadine Hamilton, submitting a claim for the alleged loss of personal property while incarcerated at the Milwaukee County House of Correction. **(Corporation Counsel recommends payment of \$1,500.00 in settlement of this claim.)**
- SEE ACTION TO APPROVE (VOTE 7-0) UNDER NUMBER (11) ABOVE.**
20. 02-354 From Amy Glodowski, submitting a claim for damages allegedly sustained to her automobile when involved in an accident with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment of \$1,475.04 in settlement of this claim.)**
- SEE ACTION TO APPROVE (VOTE 7-0) UNDER NUMBER (11) ABOVE.**
21. 02-436 From Marie F. Sokolowski, submitting a claim for damages allegedly sustained to her automobile when involved in an accident with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment of \$1,130.56 in settlement of this claim.)**
- SEE ACTION TO APPROVE (VOTE 7-0) UNDER NUMBER (11) ABOVE.**
22. 01-751 From Jill Christen, submitting a claim for damages allegedly sustained to  
& her automobile when involved in an accident with a Milwaukee  
02-143 County-owned vehicle; and from American Family Insurance Group, submitting a claim under their subrogation rights of their insured, Jill A. Christen, for reimbursement of payment made for alleged damages sustained to her automobile when involved in an accident with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment of \$1,050.00 in settlement of this claim.)**
- SEE ACTION TO APPROVE (VOTE 7-0) UNDER NUMBER (11) ABOVE.**
23. 02-488 From Sharyl Valadez, submitting a claim for damages allegedly sustained to her automobile when involved in an accident with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends**

**Scheduled Items (Continued):**

**payment of \$822.50 in settlement of this claim.)**

**SEE ACTION TO APPROVE (VOTE 7-0) UNDER NUMBER (11) ABOVE.**

## Scheduled Items (Continued):

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STAFF PRESENT: County Executive Scott Walker (Tape No. 16B-446)  
Mr. William Domina  
Ms. Lisa Marks, Deputy Director, Child Support Enforcement  
Chief Judge Michael J. Skwierawski  
Captain Richard Schmitt, Uniformed Services Bureau  
Sheriff David A. Clarke, Jr.  
Ms. Jerianne L. Feiten, Deputy Inspector, Detention Services Bureau,  
Sheriff's Department  
Mr. John Schapekahm, Principal Assistant Corporation Counsel  
Deputy Inspector Kevin Carr, Sheriff's Department  
Mr. Michael Kalonick, Administrator, Health and Mental Health  
Programs  
Mr. Jerome Heer, Director of Audits  
Mr. Robert E. Andrews, Deputy Corporation Counsel  
Mr. Robert Murphy, County Board Research Analyst  
Ms. Luisa Ginnetti, Senior Research Analyst, County Board

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Adjourned: 12.00 p.m.

**Maribeth Welchman**

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Committee Clerk

mw:3/24/2003:Jm120502